



AGENDA INFORMATION
CITY OF MIAMI SPRINGS
CITY COUNCIL

Regular Meeting

Monday, March 14, 2011

7:00 p.m.

Mayor Billy Bain

Vice Mayor Jennifer Ator

Councilman Bob Best

Councilman Dan Espino

Councilman George V. Lob

City Manager James R. Borgmann

Assistant City Manager Ronald K. Gorland

City Attorney Jan K. Seiden

City Clerk Magali Valls





CITY OF MIAMI SPRINGS, FLORIDA

Mayor Billy Bain

**Vice Mayor Jennifer Ator
Councilman Dan Espino**

**Councilman Bob Best
Councilman George V. Lob**

Decorum: "Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium".

AGENDA REGULAR MEETING Monday, March 14, 2011 7:00 p.m.

- 1. Call to Order/Roll Call**
- 2. Invocation:** Councilman Espino

Salute to the Flag: Audience participation
- 3. Awards & Presentations:**
 - A) Consideration of Funding Request by Sergeant Claire Gurney, President of the Fraternal Order of Police to Support the "Charles B. Stafford" Memorial Golf Tournament on Friday, April 1, 2011
- 4. Open Forum:** Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins
- 5. Approval of Council Minutes:**
 - A) 02/28/2011 – Regular Meeting

6. Reports from Boards & Commissions:

- A) 02/22/2011 – Ecology Board – Minutes
- B) 03/02/2011 – Architectural Review Board – Minutes
- C) 03/09/2011 – Golf and Country Club Advisory Board – Cancellation Notice
- D) 03/08/2011 – Recreation Commission – Minutes
- E) 03/07/2011 – Board of Adjustment – Approval of Actions Taken by the Board at their Meeting of March 7, 2011, Subject to the 10-day Appeal Period

7. Public Hearings:

- A) Second Reading – Ordinance No. 1010-2011 – An Ordinance of the City Council of the City of Miami Springs, Amending Code of Ordinance Section 32-100, Architectural Review Board-Established; By Revising the Authority of the Board in Reviewing Proposed Development Projects; Establishing Advisory Review Authority; Specifying Advisory Opinion of Board; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 2/28/2011 – Advertised: 3/2/2011)
- B) First Reading – Ordinance No. 1013-2011 – An Ordinance of the City Council of the City of Miami Springs Deleting all References to the 36th Street Sub-District of the Airport, Marine and Highway Business District Contained in Code of Ordinance Sections 150-154, 150-155, 150-157, 150-158, 150-160 and 150-161; Establishing Code of Ordinance Section 150-164, NW 36th Street District; Providing Purpose; Permitted Uses; Permissible Principal Uses and Structures – Limitations as to Location; Accessory Uses and Structures; Permissible Accessory Uses and Structures - Limitations as to Location; Prohibited Uses; Setbacks, Lot Coverage and Floor Area; Height Limitations; Off-Street Parking and Loading; Specific Architectural Design Standards; Professional Revitalization Consultant (PRC); Development Review Procedures; PRC Preliminary Review Meeting; Development Review; Exemptions; Fees; Repealing All Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date

8. Consent Agenda:

- A) Approval of the City Attorney's Invoice for February 2011 in the Amount of \$11,920.50

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members

9. Old Business:

- B) Golf Course Marketing Plan Update
- C) Trash Pickup Plan for South Royal Poinciana
- D) Education Advisory Board Items for Discussion and Civics Week Progress
- E) Adopt-a-Park Progress

10. New Business:

- A) Consideration of Memorial for Detective Amanda Haworth
- B) Board of Parks and Parkways Requests
- C) Facility Agreement – Jazzercise, LLC
- D) Agreement with the American Red Cross to Operate a Disaster Shelter for the City
- E) CITT Fund Analysis
- F) Agreement Extension with Curtiss Mansion, Inc.
- G) Progress Report Regarding Paving Done in the City
- H) Radar Sign Installation Progress
- I) Batting Cage Report

11. Other Business:

- A) Vote of Confidence for the City Attorney as Required by Section 8.01 (1) of the City Charter
- B) Vote of Confidence for the City Clerk as Required by Section 8.01 (1) of the City Charter

12. Reports & Recommendations:

- A) City Attorney
- B) City Manager
- C) City Council

13. Adjourn

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. 286.0105), all of which the City does not provide.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: (305) 805-5006, no later than (7) days prior to the proceeding.

Pursuant to Sec. 2-11.1 (S) of the Miami-Dade County Code and Miami Springs Code of Ordinances Chapter 33 - §33-20, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk.

MIAMI SPRINGS POLICE DEPARTMENT

MEMORANDUM

TO: Peter G. Baan, Chief of Police

FROM: Sergeant Claire Gurney *CG*

SUBJ: Agenda Request

DATE: March 8, 2011

The Miami Springs Fraternal Order of Police Circle Lodge No. 11 is hosting the 5th Annual "Charles B. Stafford" Memorial Golf Tournament on Friday, April 1, 2011 at the Miami Springs Golf & Country Club. Since the inception of the tournament in 2007, the City of Miami Springs has donated to the event. In 2009 and 2010 the donated amount was \$2,000.00.

We are hopeful that they will continue to support this very worthwhile event. Could you please forward this request to be placed on the agenda for the City Council meeting on Monday, March 14, 2011.

Thank you for your consideration in this matter.

*Rec'd: 03/08/2011
Peter G. Baan*

Agenda Item No.

City Council Meeting of:

MARCH 14, 2011

QMB

DRAFT



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, February 28, 2011, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:04 p.m.

The following were present:

Mayor Billy Bain
Vice Mayor Jennifer Ator
Councilman Bob Best
Councilman Dan Espino
Councilman George V. Lob

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
Finance Director William Alonso
Public Works Director Robert T. Williams
Golf Director Michael W. Aldridge
Golf Superintendent Sandy Pell
Recreation Director Omar L. Luna
City Planner Richard E. Ventura
City Clerk Magali Valls

2. Invocation: Vice Mayor Ator offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Pioneer Resident Awards: Herbert Lee Smith and Carole Ann Smith

Mayor Bain presented individual Pioneer Resident Award certificates to Herbert Lee and Carole Ann Smith in recognition of many valuable contributions to the City as residents for more than fifty years.

3B) Presentation by Suzie Funderburk Regarding "Thank You" to Miami Springs Police and Fire Rescue Personnel

Suzie Funderburk thanked the Miami Springs Police Department and Metro-Dade Fire Rescue for coming to her rescue and saving her life when she accidentally shot herself. She said that both departments are appreciated for the jobs that they do.

4. Open Forum:

Little League

Otto Camejo of 751 Wren Avenue introduced himself as the new President of the Little League. He informed Council that approximately 240 kids are registered this year, compared to 330 last year and this is due to the fact that other communities offer better training equipment and coaching clinics. He presented photographs of outdated batting cages and equipment. He thanked the City for their past support and asked for their support in the future.

Councilman Espino asked the City Manager to meet with Mr. Camejo and come back with a report and budget figures at the next Council meeting.

Mr. Camejo invited the Mayor and Council to the Opening Day Ceremony on Saturday March 5th at 9:30 a.m. He asked Mayor Bain to throw the first pitch of the season.

Hit and Run

Beatrix Obermann of 449 Swallow Drive, # 23 said that approximately at 10:22 p.m. on Thursday, March 24th her car was hit by another car in the parking lot where she lives and the car left the scene. She identified the car when she saw it again on Saturday and called the Miami Springs Police Department, but they could not file a hit and run report. The Police Officers asked her to sign a form, she refused and she did not like the way she was treated.

Springs River Festival

Carl Malek of 172 Curtiss Parkway, Springs River Festival Committee member, reported that there are plans for cleaning up the area around the Circle and Canal Street on Saturday, April 2nd. He explained that a special ceremony will be held on the opening night of the Festival for the families of Officers Roger Castillo and Amanda Haworth who were killed in the line of duty.

Candidates Forum

Nikki Jester of 829 Lake Drive announced that the Miami Springs Woman's Club and Chamber of Commerce would host the Candidates Forum and hopefully they will be able to use the Rebeca Sosa Theatre in the Community Center.

5. Approval of Council Minutes:

5A) 02/14/2011 – Regular Meeting

Minutes of the February 14, 2011 Regular Meeting were approved as **amended**.

Councilman Espino moved the item. Councilman Best seconded the motion which was carried 5-0 on roll call vote.

6. Reports from Boards & Commissions:

6A) 02/10/2011 – Board of Parks and Parkways – Minutes

Minutes of the February 10, 2011 Board of Parks and Parkways meeting were received for information.

Vice Mayor Ator said that there were recommendations in the minutes and she would like a report back on the status of the recommendations at the next meeting, including the lights, the timer and the fifteen oak trees to put in the street planting and where they should be planted.

Councilman Best added that curbing around the library was also a recommendation.

6B) 02/15/2011 – Education Advisory Board – Minutes

Minutes of the February 15, 2011 Education Advisory Board meeting were received for information.

Councilman Lob said that Board was talking about the use of the shuttle bus for Civics Week. He asked if anyone had checked with the School Board to get approval for the bus.

City Manager Borgmann responded that the bus is available, but the Administration would have to double check with the School Board to make sure it is approved.

6C) 02/17/2011 – Historic Preservation Board – Minutes

Minutes of the February 17, 2011 Historic Preservation Board meeting were received for information.

Councilman Lob mentioned that the Historic Preservation Board is asking for plaques for the Golf Course.

City Manager Borgmann explained that the plaques were finished, they are in his office and ready to be hung; they were delivered about a week ago.

6D) 02/21/2011 – Revitalization and Redevelopment Ad-Hoc Committee – Minutes

Minutes of the February 21, 2011 Revitalization and Redevelopment Ad-Hoc Committee were received for information.

Councilman Best said that he was disappointed that there was a lack of knowledge to the fact that the Abraham Tract is part of the area included in the revitalization plans. He hopes that the Beacon Council is well aware of this and that they move forward accordingly.

6E) 02/24/2011 – Code Review Board – Cancellation Notice

Cancellation Notice of the February 24, 2011 Code Review Board meeting was received for information without comment.

6F) 03/01/2011 – Code Enforcement Board – Cancellation Notice

Cancellation Notice of the March 1, 2011 Code Enforcement Board meeting was received for information without comment.

6G) 03/07/2011 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the March 7, 2011 Zoning and Planning Board meeting was received for information without comment.

6H) 03/15/2011 – Education Advisory Board – Rescheduling Notice

Rescheduling Notice of the March 15, 2011 Education Advisory Board meeting was received for information without comment.

Councilman Espino was not able to attend the Revitalization and Redevelopment Ad-Hoc Committee, but based on the minutes he felt it was extremely productive in terms of procedure and process. They did a very good job and some comments were very pertinent as far as clearing up misinformation and replacing it with fact. He mentioned that rumors might travel faster, but they do not stay put as long. He found it interesting that individuals who are running for office that have otherwise been quite disagreeable with Council's position were voicing support for redevelopment.

7. Public Hearings:

None.

8. Consent Agenda:

8A) Consideration of New/Upgraded Communications Network

City Manager Borgmann read the titles of the Consent Agenda items.

Agenda Item 8A was **pulled**.

8B) Recommendation that Council Award a Bid for Playground at Stafford Park to Sports Systems International, Inc., Utilizing Palm Beach County School Board Contract # 10C-54B, in an Amount not to Exceed \$84,497.00, Pursuant to Section 31.11 (E) (5) of the City Code

Vice Mayor Ator moved the consent agenda. Councilman Best seconded the motion.

Mayor Bain asked Council to consider if it would be beneficial to put the playground equipment out to bid, instead of piggy backing.

Councilman Espino agreed with Mayor Bain.

Vice Mayor Ator said that she thought the playground repairs were to be funded from the designated fund balance.

Vice Mayor Ator suggested amending the motion or removing the item from the consent agenda.

Vice Mayor Ator withdrew her motion and Councilman Best withdrew his second.

Councilman Best moved the consent agenda, excluding Item 8B. Vice Mayor Ator seconded the motion, which carried 5-0 on roll call vote.

8C) Recommendation that Council Award a Bid to Repair the Playground at Prince Field to Superior Park Systems, Inc., Utilizing Palm Beach County School Board Contract # 10C-54B, in an Amount not to Exceed \$23,251.25, Pursuant to Section 31.11 (E) (5) of the City Code

There was no discussion regarding this item.

Councilman Best moved the consent agenda, excluding Item 8B. Vice Mayor Ator seconded the motion, which carried 5-0 on roll call vote.

8D) Recommendation that Council Approve Using Designated Fund Balance to Cover Repairs to the Existing Bleachers at Stafford Park to Miami Grandstand, Inc., the Lowest of the Three Bids, in the Amount of \$7,200.00

There was no discussion regarding this item.

Councilman Best moved the consent agenda, excluding Item 8B. Vice Mayor Ator seconded the motion, which carried 5-0 on roll call vote.

8E) Recommendation that Council Approve an Expenditure to Miguel Lopez Jr. Inc., Utilizing Cooper City Bid # 2010-5, in the Amount of \$108,457.70, on an "as Needed Basis", as Provided in Section 31.11 (E) (5) of the City Code, to be Paid with Citizens Independent Transportation Trust (CITT) Funds

There was no discussion regarding this item.

Councilman Best moved the consent agenda, excluding Item 8B. Vice Mayor Ator seconded the motion, which carried 5-0 on roll call vote.

(Agenda Item 11A was considered before 9A)

9. Old Business:

9A) Appointments to Advisory Boards by the Mayor and Council Members

There were no appointments to advisory boards.

9B) Amendment No. 1 to Miami-Dade County's Interlocal Agreement for Public School Facility Planning; for Council Review and Consideration per Florida Statutes Chapter 163.31777

City Manager Borgmann stated that Amendment No. 1 to Miami-Dade County's Interlocal Agreement for Public School Facility Planning is an integral part of comprehensive plans throughout the State of Florida. The purpose of the item is for Council's review and consideration per Florida Statutes Chapter 163.31777.

9B i) Discussion of Interlocal Agreement

City Planner Richard Ventura stated that in 2005, the State Legislature mandated school concurrency under Chapter 163. The legislation provides that adequate public school facilities would be available and concurrent at the same time with the impact of new residential development. The Miami-Dade County School Board, the County and twenty-seven non-exempt municipalities, including Miami Springs, had to be in full compliance by January 1, 2008.

City Planner Ventura explained that an Interlocal Agreement was required, which is the document attached to his memorandum and it provides for a staff working group to discuss very important issues with regard to concurrency and having infrastructure in place with school development. He is a member of the working group representing the City and they will meet at the end of the month. The Interlocal Agreement also provides for coordination and sharing of information, such as student enrollment, population projections and growth and development trends.

Council adopted the Interlocal Agreement on December 10, 2007 at their regularly scheduled meeting, according to Mr. Ventura. The item presented was amendment No. 1, a supplemental amendment, to the Interlocal Agreement with the idea that it would be adopted by the County and municipalities by December 31, 2010. The Interlocal Agreement stipulates that amendments to the original agreement must be approved by a unanimous vote of the municipalities. Amendment No. 1 would downgrade that requirement to a 2/3rd vote by the municipalities.

City Planner Ventura stated that as of today eight municipalities had rejected the agreement that he presented to Council last December. The agreement was turned down by Aventura, Miami Gardens, Miami Shores, and Palmetto Bay and only Miami Lakes adopted it. He is leaning against a recommendation to adopt it based on his review of the materials and discussions with Mr. Rodriguez at the School Board, as it might not be in the City's best interest.

In May 2009, the School Board entered into a separate Interlocal Agreement with Miami-Dade County itself and it is known as the bilateral ILA; the Interlocal Agreement that the non-exempt municipalities have with the School Board is known as the consensus ILA. The School Board is now offering the same conditions that were stipulated in the bilateral ILA to Miami Springs, as well as the other signatories of the consensus ILA. They are entirely optional and the City can choose to adopt none, some or all of them.

City Planner Ventura explained that a response sheet is included for both Amendment No. 1 and the optional amendments and the School Board has forwarded a supplemental agreement. He reiterated that Amendment No. 1 would change the requirement from 100% to a 2/3 agreement by the governing body. His understanding is that the optional amendments are not being presented for adoption or rejection at this time; they are only being presented for discussion pending the scheduling of a vote on each one at a later date.

Councilman Best asked if the supplemental items offer anything additional to Amendment No. 1.

City Attorney Seiden clarified that the first amendment is related to a vote change from 100% to 2/3rd. The others are alternative optional amendments based on what is called the most favored nation status provision that is contained in the ILA with the County. As a condition of the last Evaluation and Appraisal Report (EAR) the City was required to pass the educational element to be able to submit and it was a rush to finish it before December 2010. The County did not feel that it was important and they did not pass it at all, so the City is required to pass it after the County passes theirs. The Interlocal Agreement was done, which is valid and was not impacted by the element that is now included in the plan. It would seem that there is no chance of the eight additional proposed items being passed if there is no agreement on the change from 100% to 2/3rd.

City Planner Ventura introduced Ana Rijo-Conde from the School Board who was present.

Vice Mayor Ator asked if Council is being asked to consider passing the vote requirement before considering the optional amendments.

City Attorney Seiden replied that Council is being asked to review the Interlocal Agreement in context and that is why it is being submitted. He added that Council might want to submit it to the Education Advisory Board for their review.

City Planner Ventura explained the time frame for the adoption of the Interlocal Agreement and the additional amendments.

Councilman Espino stated that the amendments are dense and the Education Advisory Board members have a significant amount of expertise in making their recommendation.

The purpose of the amendments is to establish concurrency, goals, objectives and policies, according to Councilman Espino. Some are not directly applicable to Miami Springs since the City is relatively built out as far as new schools are concerned. By implication, there are unfunded mandates involved in some of the amendments, while the goals, objectives and policies go toward things that the City would have to encumber itself with in order to be in compliance.

City Attorney Seiden asked if the most favored nation provisions were optional and if the City could adopt two or three of them.

Ana Rijo-Conde with the Miami-Dade County School Board said that the optional amendments are entirely optional and the City could approve one, two, all or none of them. Eight cities turned down the reversion of the unanimity clause; in essence, what the City does now is perfunctory in nature because unless 100% of all the parties vote in favor it could not take effect.

City Attorney Seiden said that if Miami Springs decided to go with optional amendments three, six and eight they would not have to be approved 100% by all parties; they could apply only to Miami Springs.

Ms. Rijo-Conde concurred with the City Attorney. She explained that out of the eight cities that had gone through their optional amendments, some decided to adopt all of them, while others only adopted one or two and others adopted none. She said that it is a menu to pick from.

City Attorney Seiden reiterated that it would be appropriate to send the Interlocal Agreement to the Education Advisory Board. He said that some amendments may be beneficial and the recommendation from the Education Advisory Board carries a certain amount of weight in light of their experience.

Ms. Rijo-Conde said that she would be happy to make a presentation to the Education Advisory Board.

9B ii) Resolution No. 2011-3505 – A Resolution of the City Council of the City of Miami Springs Approving and Authorizing Amendment No. 1 to the Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County; Authorizing Execution of Amendment; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

Vice Mayor Ator moved to reject the resolution. Councilman Espino seconded the motion, which was unanimously carried on roll call vote.

9B iii) Discussion of Authorization to Approve Optional Amendments

Councilman Espino moved to send the optional amendments to the Education Advisory Board. Vice Mayor Ator seconded the motion, which was unanimously carried on roll call vote.

9C) Golf: Revenue/Brochure Distribution

City Manager James R. Borgmann stated that a brochure and two maps were distributed on the dais and those are three of the major marketing pieces.

Golf Director Mike Aldridge stated that there are 312 hotels that have the brochures. He mentioned that the information in the agenda packet indicated that revenue was up 3% in January and the Finance Director clarified that the month of February would be up 4 to 5%. The main difference is for the membership fees.

Vice Mayor Ator asked if there is another company that does more for golfers in Miami-Dade County because there are many courses in Palm Beach County.

Golf Director Aldridge explained that CTM Media Group is the only company that does an actual map of the golf courses. He said that 100,000 copies are made and distributed in various places; there is nothing that is geared solely to Miami-Dade County as there are not as many golf courses in this area.

Councilman Espino asked what results incurred by virtue of advertising this way and how long has it been in place.

Golf Director Aldridge responded that the CTM brochure had been placed in all the hotels from South Broward through the Keys since he began working for the City and since that time the tourist industry had declined, but it definitely pays for itself.

Councilman Espino stated that considering how much the Golf Course had lost historically, and how much it is losing now, it seems that two brochures and a single page pamphlet is not enough to market the Golf Course. He asked if there had been any efforts to attract new tournaments and what organizations are being approached because that should be a part of marketing the Golf Course.

Golf Director Aldridge responded that the marketing strategy is based on the amount that is included in the budget for that purpose.

Councilman Espino asked if there is a marketing plan or if anything had been proposed.

Golf Director Aldridge stated that the tournaments are marketed through the brochures, advertisements in the Herald and the River Cities Gazette. In addition, they always ask local golfers. He explained that tournaments have gone down the same as everywhere else.

Councilman Espino asked about the demographics of the golfers that play in Miami Springs on a regular basis.

Golf Director Aldridge responded that most of the golfers are Latin and they used to advertise in the El Nuevo Herald.

To answer Vice Mayor Ator's question, Mr. Aldridge stated that they have a program called Golf Trac, which is an operating system. In the past, forms were given out for people to complete but it was very unsuccessful.

Councilman Lob agreed with Councilman Espino in regard to the Golf Course losses and said that a lot of money had been invested in the Golf Course. He knows that a lot of Canadians no longer play there and felt that another \$50,000 to increase the exposure would be a small investment to bring back golfers.

Golf Director Aldridge stated that he could advertise in the French papers up north next year. The memberships are down because the Golf Course was in bad shape when the Canadians arrived and that is why they went elsewhere.

Councilman Espino said that with the economic downturn it seems that there is a very meager attempt to market the Golf Course. In the face of the significant declines in revenue, part of the job of the Golf Director should be to come together with a cohesive plan that the Department itself could execute or recommendations for Council to entertain outside help. In the meantime, nothing was tried.

Councilman Espino stated that from a macro perspective, in terms of Council's funding ability, the thought occurred to him that the residents of Miami Springs might be better served by taking the Golf Director's salary and investing it in marketing in order to get a return on the investment. He does not see where the business development is coming from and this is a big part of the Golf Course operation. Attracting new tournaments and new professionals is important, even if it means asking for more funding.

Vice Mayor Ator agreed with Councilman Espino that there should be some thought or additional energy put into the marketing plan. She knows that Mr. Aldridge is a great golf pro, but if he needs help with marketing perhaps there should be a request for proposal for a marketing company. She emphasized that something must be done.

City Manager Borgmann explained that three companies were contacted to come in and provide an analysis of the actual golf operation. Two of the three companies were internet marketing companies that were not that knowledgeable about golf and the third was the National Golf Foundation that presented a proposal for \$15,000. The Administration decided to look around to find other companies that could offer the same service and he is not ready to make a recommendation.

Vice Mayor Ator would like to go a step further; she agrees that a third party could look at the operation to advise what is being done right or wrong, but the marketing has not been aggressive as it could have been and it should focus on the demographics.

City Manager Borgmann explained that the National Golf Foundation could assist since they have good ideas and data regarding the market. They may come back and say that everything possible is being done in today's market.

Councilman Espino expressed his disappointment about the losses of \$1.7MM over the course of several years before anyone had recognized and addressed the problem.

Councilman Best thanked Mr. Aldridge for providing the numbers. He said that after talking to a few golf courses in the tri-county area, he found out that this is not systemic to Miami Springs; the same situation is everywhere. He said that it may have been a timing issue with the installation of the irrigation system, but that is not up for debate since it has already been done.

Councilman Best felt the fact that the Canadian tourists are not coming to the course is surely an issue. The answer may not be spending \$50,000 in terms of marketing. Most of the tee times are now booked on the internet according to literature he has read, so that would make the most sense. Tournaments will not increase revenue because the players are offered a reduced rate. He asked if reducing the resident rate would encourage more residents to play year round.

Golf Director Aldridge commented that residents could be offered a membership card and they could pay a walking fee. The summer membership is something new this year since a number of people were asking for it.

City Manager Borgmann said that a monthly newsletter is sent by Public Information Specialist Carol Foster to the Golf Course members and he will make sure that Council receives a copy of this e-mail in the future.

Councilman Lob stated that the good news is that there were 228 more rounds played and February should be as good.

Golf Director Aldridge wanted to make it clear that the Golf Course would not produce enough revenue to break even.

Councilman Espino said that he would like to know that at least an effort is being made to promote the Golf Course because three pamphlets in 400 hotels are not enough.

Golf Director Aldridge clarified that the City pays \$900.00 to distribute 50,000 brochures.

Councilman Espino stated that tournaments should be booked when play is slow in order to introduce players to the Golf Course who will come back.

Mayor Bain added that some golf tournaments cannot fill all the slots because people do not have the necessary income to play. He said that there might be new ideas for advertising, but he would not spend any more funds until the economy turns around because the regular people in the country do not have funds for extra activities and golf play is down in the United States. He would like a professional to offer ideas for promoting the Golf Course to the City Manager for Council's consideration.

Golf Director Aldridge announced that a tournament will be held on Friday, March 4th to benefit the two fallen Miami-Dade County Police Officers. Miami-Dade County selected Miami Springs as the tournament site over all the other courses in the County.

Councilman Espino moved to direct the Administration to bring back a marketing plan for the Golf Department to be discussed at the next meeting. Vice Mayor Ator seconded the motion, which carried unanimously on roll call vote.

9D) City of Miami Springs 85th Anniversary Celebration

City Manager James R. Borgmann stated that Parks and Recreation Director Omar Luna would present the estimated budget and the activity listing for the City of Miami Springs 85th Anniversary Celebration.

Parks and Recreation Director Luna presented ideas for the City's 85th Anniversary Celebration that he planned together with Programs Supervisor Patti Bradley. On Friday, April 8th they are recommending a kick-off celebration during the opening ceremony of the Springs River Festival with a tent, table, banners and flyers announcing the date of the big event. On July 4th, the City would have a float on a flat-bed truck with banners and the distribution of flyers to promote the anniversary. Saturday, August 27th is the proposed date for an event at the Circle with a festival environment and the serving of food and birthday cake with music, rides, etc.

Expenses include the rental of tents, tables, chairs, advertising, marketing, banners, t-shirts, mugs and a disc jockey (DJ) for an approximate total of \$15,000, according to Mr. Luna.

Vice Mayor Ator asked if the Chief of Police had been consulted regarding the cost for Police services.

Mr. Luna responded that he would contact the Chief of Police to determine the cost for Police service.

Councilman Best referred to the Parks and Recreation flyer that was distributed in the River Cities Gazette introducing the various recreation programs. He asked several people at the Pelican Playhouse rehearsal about flag football and three or four wanted to form teams, but were told that the program was cancelled.

Mr. Luna responded that he promoted the flag football program and six teams were very interested; they were told to bring in the registration form and they never did so the program was cancelled since they never paid the registration fee to start the league. He extended the offer to start the league without the registration fee up front and no one showed up.

Councilman Best asked Mr. Luna to consider re-instating the program since no one knew about it.

Mr. Luna stated that the program was advertised on the website and promoted at the Community Center. The program was also promoted through the River Cities Gazette.

Councilman Best expressed his disappointment that the program was cancelled. He asked when the football games were planned to be held.

Mr. Luna responded that the plan was to hold the games on Sunday mornings for six weeks at Stafford Park. The field is available, shirts were ready and the umpires were ready to go, but he did not want to incur the costs if the registration fees were not paid.

Vice Mayor Ator asked if Mr. Luna had considered social media such as Facebook.

Mr. Luna said that there was an interest in creating a Facebook page, but it was not approved.

City Attorney Seiden did not feel that Facebook would be a problem if it was only used for informational purposes.

Councilman Espino asked to determine if there was a way to set up a Facebook page that does not allow responses.

Mayor Bain asked about the status of the fence installation at Stafford Park.

Mr. Luna responded that the School Board must pull the permit for the fencing; he spoke with them earlier in the day and learned that they are moving forward. He said he will keep on checking with them every day.

To answer Councilman Best's question, Mr. Luna clarified that he would try to put the football program together as he was looking forward to participating with the teams.

9E) Beacon Council Meeting

City Manager James R. Borgmann stated that he, Vice Mayor Ator, Councilman Espino, City Planner Ventura, City Attorney Seiden, Assistant City Manager Gorland, and Calvin, Giordano & Associates met with the Beacon Council in their office on February 16th.

Mr. Borgmann said that Laz Martinez was also in attendance as a member of the Revitalization and Redevelopment Ad-Hoc Committee and as Councilman Lob's appointee.

The City Manager explained that the meeting was very informative and Beacon Council President Frank Nero gave the entire presentation. It was determined that Miami Springs is the missing piece of the entire airport development concept as far as bringing in large businesses. The stretch on N. W. 36th Street north of the airport is the final piece of the puzzle.

Miami-Dade County has various enterprise zones and about ten years ago the City tried to be included in the enterprise zone that stops on the airport side of N. W. 36th Street, according to Mr. Borgmann. At that point, the request was denied. The Beacon Council is offering their support to include Miami Springs in the zone and legislation is pending to make the enterprise zones more functional with new and improved incentives.

City Manager Borgmann stated that there were many materials that Councilman Espino and Vice Mayor Ator received at the meeting and he will try to get three additional copies for the rest of the Council members.

The City Manager explained the history behind the Airbus Facility and the incentives that were offered to keep the facility from moving to Broward County. The City waived permit fees totaling \$60,000 and that was the contribution to have the facility in Miami Springs.

City Manager Borgmann stated that the next assignment is for the City Planner to provide statistical data to the Beacon Council, including the City's population, income, etc. He explained that a second meeting is scheduled for Friday, March 11th at 2:00 p.m. and since Council may want to attend the City Clerk will publish it as a public meeting. The purpose of the meeting is a field trip to N. W. 36th Street to show the Beacon Council what is there and what the plans are for the changes to the district boundary regulations that will govern that particular area.

Councilman Best asked about the various incentives offered in the enterprise zones and how it could affect revenue the City would receive under normal circumstances.

City Manager Borgmann said that the State offers cash incentives for every job created and it would be double that amount in an enterprise zone, which is funding directly to the companies for every employee they bring onto a payroll. In regard to the situation of attracting companies from one county to another, there is legislation on the floor that is geared to "leveling the playing field" and making the incentives fairer for everyone.

Vice Mayor Ator explained that there was a lot of discussion about the enterprise zones and some of the areas that are designated as such, that possibly should not be enterprise zones any longer. There are some well developed areas that started as enterprise zones that have benefited.

Nery Owens of 332 Payne Drive recommended including the Abraham Tract, all of N. W. 36th Street up to 57th Avenue in the proposal for the Enterprise Zone; the process requires the City to go before the County Commission and the timing is excellent because the Governor is pushing for corporations to come to Florida. An Enterprise Zone across from the Airport on 36th Street will develop fast.

Councilman Best pointed out that the map indicates that the Abraham Tract is included in the Enterprise Zone.

Ms. Owens suggested that County Commissioner Rebeca Sosa could help to support the City for the inclusion of 36th Street in the Enterprise Zone, from 57th Avenue to LeJeune Road, as well as promoting the Abraham Tract.

Councilman Espino explained that the Beacon Council was very excited that Miami Springs approached them and they asked for some things that the City does not have, including an inventory of assets and resources of available properties that are capable of redevelopment and redevelopment plans. Once they have the demographic information, inventory and a plan they will use that information to move forward.

Vice Mayor Ator said that the Beacon Council wants to encourage and work with the City and those resources should be used to put together what they are looking for.

City Manager Borgmann came away from the meeting with the impression that the Beacon Council's thrust is toward attracting businesses to come to the area. The City needs to have construction companies ready and available to assemble properties and to create and construct the types of buildings that those companies will need, similar to what happened on the South side of the airport. The focus of the Beacon Council is not on one specific area; they look at Miami-Dade County as a total picture.

Vice Mayor Ator felt that the only way to make progress is to take advantage of the opportunities; they cannot afford to sit back and simply say that the area has been rezoned. The City should be proactive with the Beacon Council.

Councilman Espino said that the priorities are the information gathering, the plan, the inventory, and the possible extension of the Enterprise Zone; there should be a consensus to direct the City Manager to do that as well as creating incentives and a streamlined process.

Councilman Espino moved to instruct the City Manager to work on those areas in terms of development on N. W. 36th Street. Councilman Best seconded the motion, which was unanimously carried on roll call vote.

(Mayor Bain called a 5-minute recess at 8:53 p.m.)

10. New Business:

10A) First Reading – Ordinance No. 1010-2011 – An Ordinance of the City Council of the City of Miami Springs, Amending Code of Ordinance Section 32-100, Architectural Review Board-Established; By Revising the Authority of the Board in Reviewing Proposed Development Projects; Establishing Advisory Review Authority; Specifying Advisory Opinion of Board; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

City Attorney Jan K. Seiden read the ordinance by title.

Attorney Seiden stated that he revised the ordinance as it existed in accordance with the conversations at the last meeting, but apparently he may have been incorrect, since there are two other versions that were submitted by Vice Mayor Ator and Councilman Espino. The Vice Mayor's version is a little more complex than Councilman Espino's; he agrees with at least one provision that Councilman Espino included that relates to all commercial areas.

City Attorney Seiden suggested some revisions to Councilman Espino's version of the ordinance. He reiterated that the Vice Mayor's version is more complex because it covers more facets and either version is fine with him.

Vice Mayor Ator pointed out that she red lined her version to make it clearer, she incorporated language from Section (J) into Section (H) and took out objectionable language. She also left in the notice provision because that gives an opportunity for the citizens to have notice of the Architectural Review Board plan review and includes a fee to cover the cost of the noticing.

Vice Mayor Ator said that her version is based on feedback and comments from the Architectural Review Board as their Liaison. She received a preview of the draft ordinance from the City Clerk before the agenda came out because the Architectural Review Board members had expressed an interest and her version clearly outlines the role of the Board.

City Attorney Seiden explained that by making the Architectural Review Board's recommendation subject to Council approval, rather than just Council review, it involves the appellate rights.

Councilman Espino added that he spoke with members of the Architectural Review Board and various residents; it seems that having certain conditions or criteria approved by the governing body provides some assurance to developers that further into the process, they will not be facing a different set of conditions.

City Attorney Seiden agreed with Councilman Espino. He explained that the original jurisdiction of the Architectural Review Board is not impacted by this ordinance.

Councilman Espino included a step as a check for Council to review in an expedited fashion. He derived it from the chart that he submitted because what Council approved did not flow in a way that would streamline the process. Whether it is Board of Adjustment first or the Architectural Review Board, there is a process from beginning to end. At the end, there is a combination of approval, further assurances and moving forward without having to come back.

City Attorney Seiden asked to first address the ordinance before the flow chart.

Vice Mayor Ator stated that she made a similar argument at the last Council meeting and she drafted language in paragraph (H) that reads, "*The recommendation shall be reviewed and considered by the City Council in consideration of final approval by the City Council.*"

Councilman Espino asked what final approval would have on a project other than a variance or site plan approval.

City Attorney Seiden explained that based on the chart that he prepared Council would have the same approval they always have. It follows the exact same process that exists now and that is after the engineering report is received and approved by the Zoning and Planning Board, it then goes to Council for review.

Mayor Bain clarified that there are three versions of the ordinance and the City Attorney agreed that he would include one provision from Councilman Espino's version.

The City Attorney said that he would have no problem with Councilman Espino's reference to commercial areas being substituted and using the word "schematics" rather than plans. He also has no problem with the last sentence in paragraph (I) as long as it ends with the word "review".

Mayor Bain asked for a motion on the first reading of the ordinance as amended.

Vice Mayor Ator suggested consideration of including the notice provision.

City Attorney Seiden clarified that notice is automatically provided by the City Clerk by posting the meeting on the website and notices are mailed to the affected landowners. Advertising in a local paper would involve an expense, but it could be included.

Vice Mayor Ator reiterated that she would like to give notice to the citizens that might be interested in the architectural review.

Mayor Bain commented that proper notice is given without having it to be included in an ordinance; it is all public record.

City Attorney Seiden explained that the Vice Mayor is suggesting transparency by giving people more notice and this can be done the same as every other City board by posting on the website.

Councilman Best agreed with the City Attorney's draft with the inclusion of Councilman Espino's recommendations pursuant to page four of his version. He does not see the need for notice; it would be an unnecessary burden and he does not agree with a \$50.00 fee.

City Attorney Seiden clarified that a fee is charged to cover the cost of sending out courtesy notices for the Board of Adjustment/Zoning and Planning Board. The same philosophy could be adopted to send out courtesy notices and the ordinance could be reworded to provide for that without newspaper publications. At the same time, be specific, and charge \$100.00 to help defray the cost of a publication review so that it is revenue neutral. Beyond that, publication is more expensive than \$100.00.

Vice Mayor Ator said that more than the agenda should be included on the City's website.

City Attorney Seiden suggested including notice of the project and the proposal. He added that accepting Councilman Espino's recommendations and adding Vice Mayor Ator's suggestion in regard to notification to the citizens, plus a \$100.00 fee would solve everyone's problem.

Vice Mayor Ator felt that important language was eliminated from the old ordinance that should remain and it reads: *"The Board may suggest or recommend such changes in said plans, specifications or designs as in its judgment"*

Attorney Seiden agreed to use the "whereas clauses" suggested by Councilman Espino and Vice Mayor Ator. He added that "schematics" will be used instead of "plans"; "commercial uses" will replace the three areas in his draft; he will leave in the sentence suggested by Vice Mayor Ator that was in the original ordinance and he will change the last part of Section (I) in Councilman Espino's version, ending with "review". He will also add new sections in regard to notice of the project to the citizens and he will leave a fee section to help defray the costs of notification.

Mayor Bain did not agree with the fee provision in the last portion of the notice. He asked for a specific motion in regard to the notice and the \$100.00 fee.

City Attorney Seiden clarified that notice would not be a publication; it will be posted on the website the same as every board and notices would be mailed to those property owners within a certain radius of the property.

Mayor Bain reiterated that he disagreed with the entire section and he would like a consensus from the rest of Council. He explained that giving notice allows the opportunity for debate and the opportunity to stop a project. The idea is to give N. W. 36th Street the opportunity to grow and a developer should be allowed to build according to the Code of Ordinances and regulations.

City Attorney Seiden clarified for the Mayor that most cities, including Miami Springs have these types of provisions.

Councilman Best explained that he is also in disagreement with the fee provision.

Councilman Lob also disagreed with charging a fee.

City Attorney Seiden said that the City charges a citizen \$100.00 when applying for a variance to offset the cost of sending notices, and this would be the same for a commercial developer. There is no reason for the City to lose money and the fee would only cover the cost of the publication.

Councilman Espino wanted to discuss the chart because it does not impact the ordinance. It determines how the Architectural Review Board will fit in the process.

City Attorney Seiden clarified that Councilman Espino added an informational session with the City Staff and the PRC that is optional. He asked him to define PRC.

Councilman Espino responded that PRC is a Professional Redevelopment Consultant and this is a term used by the Consultant. He said that in the future, the City might have someone in-house to do this.

City Attorney Seiden explained that in the last discussion the chart included a notation that *"The determination of City Staff participation will be decided on a case by case basis"* and the same could apply to step # 1.

Councilman Espino said in the beginning and the interim phase it would be beneficial to have a consultant and perhaps in the future the City might have someone in-house. He suggested the language "Commercial Redevelopment Agent".

City Attorney Seiden felt that it would be appropriate for Council to review the draft district boundary regulations before considering the chart. There are some provisions within the district boundary regulations that deal with the role of the PRC. The district boundary regulation ordinance has more impact.

Further discussion ensued regarding the language in the first box of the chart.

City Manager Borgmann suggested using thresholds and establish a process and when a certain threshold is reached it throws it over to a certain category of review and if Staff is not clear they would bring it to Council to determine how to proceed.

Councilman Espino continued to review the Development Review Procedure Chart.

City Attorney Seiden said that many of the requirements involving variances are technical in nature and if the proposed plans are submitted to the Building Department a lot of variances come from that review. The Architectural Review Board would render an opinion and then a submittal would be made to the Building Department for comments only, not for plans.

Councilman Espino agreed that any time during the submittal process a variance could be applied for if necessary up until permitting.

City Attorney Seiden said that an approval process at the third stage might mean that the developer has a right of appeal if there is a problem. He questioned if this should be included at that stage. He explained that the Architectural Review Board would offer an advisory opinion; it will not be a specific appeal.

City Attorney Seiden explained that including the Architectural Review Board in the second step will offer an advisory opinion on the design and schematics. At that point, that opinion will go forward to Council for review.

City Attorney Seiden recommending postponing further discussion on the Development Review Procedure until Council has an opportunity to review the proposed ordinance on the district boundary regulations. He also suggested scheduling a Special Meeting to review the regulations.

Councilman Espino said that the Architectural Review Board is composed of residents who might be more lenient in regard to the architectural guidelines.

Mayor Bain would like the Architectural Review Board to consider the easiest way to move the design forward.

City Attorney Seiden said that there must be a balance between transparency to the public, allowing advisory opinions both from external and internal people and Council and Building Department approval as fast as possible.

Councilman Espino moved to approve the ordinance drafted by the City Attorney, including his whereas provisions, and section (H) and section (I) with the exclusion of the last four words; with the inclusion of the notice provision that is customary for the boards right now and the fee of \$100.000 to cover expenses associated therewith. Councilwoman Ator seconded the motion, which was defeated 2-3 on roll call vote with Councilman Best, Councilman Lob and Mayor Bain casting the dissenting votes.

Councilman Espino moved to pass the City Attorney's ordinance with his whereas provisions and section (H) and section (I) excluding the last four words. Councilman Best seconded the motion and it carried 4-1 with Vice Mayor Ator casting the dissenting vote.

Council **scheduled** a Special Meeting for Wednesday, March 9th at 7:00 p.m. to review the proposed N. W. 36th Street district boundary regulations.

10B) Council Review of Scope of Work from LaRue Planning and Management to the Florida Department of Community Affairs (DCA) as Part of the Evaluation and Appraisal Report (EAR) Process, Pursuant to Section 163.3191 (2) (a) through (p) of the Florida Statutes

City Manager Borgmann explained that it is a requirement of the Evaluation and Appraisal Report (EAR) process for Council to review the scope of work from LaRue Planning and Management to the Florida Department of Community Affairs (DCA), pursuant to Section 163.3191 (2) (a) through (p) of the Florida Statutes.

City Planner Richard Ventura stated that this is a summation of the issues that Council covered at the public hearing held on November 30, 2010 and a subsequent scoping meeting that was held on January 26, 2011 with representatives from the South Florida Regional Planning Council, the Aviation Department and a consultant who represents Virginia Gardens.

City Planner Ventura explained that the proposed letter would present a Scope of Work to DCA outlining the issues that Council decided should be addressed and in return, the DCA will send back a Letter of Understanding that basically repeats what the City outlined and their agreement. He added that it is only a formality.

City Attorney Seiden clarified that a motion to authorize the Consultant to send the letter would be appropriate.

Councilman Best moved to allow the City Planner to initiate a letter to the DCA. Councilman Lob seconded the motion, which was carried 4-0 on roll call vote (Councilman Espino was absent at roll call).

10C) Council Review and Adoption of the City of Miami Springs Consolidated Comprehensive Land Use Plan; Comprised of the Existing Comprehensive Plan Adopted by Ordinance No. 849-98 and Subsequent Amendments Mandated by the State of Florida

City Manager Borgmann read the title of the agenda item.

City Planner Richard Ventura stated that the older existing Comprehensive Plan from December 1998 and all the subsequent amendments were combined within a single document. The Future Land Use Element in the new Comprehensive Plan was revised to reflect the elimination of the Airport, Highway, Marine, Business District (AHMBD) and is broken down into Airport Golf, N. W. 36th Street and the Abraham Tract. The new floor area ratios (FAR's) across the three districts are specified within the text of the document.

City Planner Ventura referenced Part II: Goals, Objectives and policies on pages 18 and 19, of the Comprehensive Plan describing the three new districts and respective FAR's. He noted that the Existing and Future Land Use maps in the existing plan have been replaced by a single, revised Future Land Use map in Part II, page 88.

City Planner Ventura stated that the new document would fit nicely with the work being done by consultants Calvin, Giordano and Associates and when a developer coming into the City wants a copy of the Comprehensive Plan. There would be no conflict between the Plan and what the Consultants are working on; there are some antiquated text references in the existing plan to Dade County, typographical errors and changes that must be corrected in the Future Land Use Plan.

City Planner Ventura explained that once the City receives the Letter of Intent finding the EAR in compliance, the EAR based amendments will be addressed. In speaking with Mr. LaRue, this could commence in the spring of 2012.

Councilman Espino moved the item. Councilman Best seconded the motion.

Councilman Espino asked what would happen if the State Legislature passes the proposed legislation that would eviscerate the DCA and State approval is no longer required. The Comprehensive Plan would be sent for review and recommendations and the turn-around period would be of 60 or 65 days.

City Attorney Seiden responded that all the Statutes would be revised.

City Planner Ventura added that the proposal is to fold DCA into the Florida Department of Environmental Protection. The bottom line is that the City has a Comprehensive Plan that reflects the work being done by Calvin, Giordano & Associates.

The motion was unanimously carried on roll call vote.

10D) Red Light Camera System

City Manager James R. Borgmann stated that the red light camera system had been a topic of discussion for some time and the Administration realized that there might be other companies who would like to submit proposals for the system. Meetings were held with American Traffic Solutions (ATS), GATSO USA and Sensys America, Inc.

City Manager Borgmann directed Council's attention to the chart that was included in the agenda documentation. The chart notes that the price per camera installed is \$4,300; it is a fixed fee rate; each lane does not require a separate camera; the per amber/Silver Alert fee is optional; the system meets FDOT specifications; it is a single pole installation; no systems have been installed in Miami-Dade County; there is 90 days from date of contract to complete installations; primary contractor is not available; contracts are typically 3-5 years; there are no up front fees; the City can retrieve its own data instantly; the system offers a time/date stamp that will hold up in court and it offers a full motion video clip of violation. The infrared for night shots is optional and each company listed what sets their company apart from the other companies.

City Manager Borgmann stated that after speaking with all three companies, Staff's recommendation is to go forward with American Traffic Solutions (ATS) that has all the systems in Miami-Dade County. Their monthly flat fee is a little higher than Sensys America, but in the long term it would be the best way to go in order to coordinate with cameras in other jurisdictions.

Chief of Police Peter G. Baan said that the review committee was comprised of City Manager Borgmann, Assistant City Manager Gorland, Finance Director Alonso, Procurement Specialist Tammy Romero and himself. The committee listened to the presentations and analyzed various components including the system specifications, the service provided, legal support, etc.

Chief of Police Baan said that the information in the agenda packet includes the description of the system, a safety study, media articles both for and against and a sample contract. There are many government contracts that the City can piggy-back on with some modifications to suit the City's needs. The State Statute is in place and the City has already adopted the ordinance to facilitate the installation of the cameras. He said that all that is necessary is to negotiate a contract with the company.

Vice Mayor Ator asked if the attorneys from the various cities in Miami-Dade County are required to attend the hearings.

City Attorney Seiden explained that only one judge in Broward County is requiring attorneys to attend the hearings.

Councilman Espino added that there are many issues with regard to the red light cameras that will be handled by legislation during this session, including whether or not the Statute should be thrown out altogether and this is being proposed by Senator René Garcia. He voted in favor of adopting the City's ordinance, but feels that Council should wait to implement the program.

Councilman Lob agreed with Councilman Espino to wait until after the legislative session.

Councilman Best commented that this is the third legislative session in which the red-light cameras had been addressed. He asked how many cameras the City would be installing.

Chief of Police Baan responded that a preliminary study identified twenty approaches, with four approaches at the basic traffic light.

City Manager Borgmann clarified that cameras are proposed for west bound 36th Street.

Chief of Police Baan said that it depends on how many lanes there are; each direction in an intersection is an approach.

Councilman Best expressed his concern about the legislative session results and from what he has heard from people in the City. There is not a great propensity to move forward with the camera installation in a favorable fashion and there were a lot of negative press releases.

Greg Parks with ATS explained that the red light camera systems are not designed to produce revenue; they are a safety factor and certainly good government wants to be self-sustaining without losing money during difficult times. The programs in Miami-Dade County are very successful and the situation in Broward County is a unique situation because most of the programs are doing fine.

Mr. Parks stated that there had been many good articles recently and the statistics show that accidents in the largest cities in the country with cameras are down 24% and the Herald reported that accidents are down 60% in North Miami and 90% in Orlando since their programs were implemented.

Mr. Parks said that they are very confident that there will be no repeal of House Bill 325, although anything can happen, but it is unlikely since the Senate leadership is in favor of the program. He felt it would make sense to enter into an agreement; the design and engineering can be ready and if the City is happy with the results of the legislative session after May 31st, then the City can move forward. If not, the contract can be structured so that the City would not have to move forward.

Councilman Lob asked if the City is required to pay a certain amount of money to ATS as people become aware of the cameras and the violations decline.

Mr. Parks explained that there are many contracts with local municipalities that are revenue neutral, which means the City cannot pay out more money than they take in. If it reaches that point, that means the cameras are doing their job to improve safety and they could be moved to another location.

To answer Councilman Best's question, Mr. Parks explained that the County had adopted their ordinance and they are drafting a request for proposal (RFP) and procurement is eminent.

Councilman Espino recommended waiting until after the legislative session.

To answer Vice Mayor Ator's question, City Attorney Seiden explained that there is no downside to asking ATS to prepare a contract; they could submit it to the City and execution could be delayed until Council feels comfortable. This way it could be submitted for Council's consideration, he and the Administration will review it and it will be ready to sign at an appropriate time.

Vice Mayor Ator agreed that the outcome of the legislative session is uncertain. To move the process forward she would move to go ahead with a contract.

Vice Mayor Ator moved to go ahead with preparing a contract with the intention of signing it after the legislative session. Councilman Best seconded the motion.

City Attorney Seiden clarified that the motion is to ask ATS to provide an official contract that can be reviewed and after the legislative session ends Council will decide whether or not to execute it.

City Manager Borgmann asked if Council is accepting ATS as the vendor as part of this action.

Vice Mayor Ator responded that the Chief of Police is recommending ATS. She explained that if something were to change as part of the legislative session, Council could change the vendor because the contract is not executed. It would be an agreement to negotiate with the intent that a decision would be made at the end of the session.

Councilman Best asked if the City has any obligation to select ATS.

City Attorney Seiden clarified that there is no obligation as long as Council does not authorize the execution of the agreement. The City would be telling ATS that they are ready to execute a contract with their company, subject to a final decision by Council after the legislative session has been completed. The contract would have to come back to Council at that point for authorization.

The motion failed 2-3 on roll call vote with Councilman Espino, Councilman Lob and Mayor Bain casting the dissenting votes.

10E) Discussion Regarding Parking Garage

City Manager Borgmann stated that the Administration was directed to begin the request for proposal (RFP) process for the parking garage, and in preparation of the specifications, he reviewed internet information on recent construction of parking garages in South Florida and Pennsylvania.

The City Manager explained that the average space would be 310 square feet, including the driving lanes, ramps, and supporting buttresses. The average cost per space ranges from \$5,600 to \$24,700 and the median average is roughly \$15,000 per space. A four-story garage in the area across the street from the Police Department would be roughly 118,000 square feet; a three-floor structure would yield approximately 89,000 square feet. He calculated that there would be 380 spaces on four floors and 365 square feet per space would yield 323 spaces on four floors. These numbers could be reduced by 80 or 90 spaces on the three-floor configuration.

10E i) Thoughts on Constructing a Garage on the Surface Lot Behind the Post Office

City Manager Borgmann stated that the existing surface currently contains 75 spaces so the estimated net gain of spaces would be about 305 spaces or, in the worst case scenario, 250 spaces for the four-floor configuration. Therefore, based on existing garages constructed over the last five-years, the cost for a new 380 space garage would be about \$5.7MM and a garage with 325 spaces would be \$4,845,000. A three-floor configuration would reduce the cost to approximately \$4.3MM and \$3.66MM respectively.

City Manager Borgmann explained that the Citizen Independent Transportation Trust (CITT) representatives were contacted and they have refused to fully fund such a garage.

Mr. Borgmann said that it might be possible to convince CITT that a percentage of the structure would serve those people using public transportation; even 10% of the smallest cost estimate would yield a savings of \$366,000. He referred to a spreadsheet and photograph of what a four-floor configuration would look like.

10E ii) Update Regarding Possible Funding by Milam's

City Manager Borgmann said that Councilman Espino reminded him that Max Milam had made an offer in the past to contribute to a parking structure. He said that a memo to Council on August 8, 2007, indicated that one proposal was received for a basic 29-space surface lot on Curtiss Parkway adjacent to the Circle for a bid of \$386,000 or \$13,300 per space. The contractors were asked to consider additional land to the south of the war memorial and that area would yield an additional 26 spaces for a total project bid of \$656,462 or a total of 55 spaces at \$11,935 per space.

City Manager Borgmann explained that the last parking lot was built behind the Farm Stores in 2003. The cost was approximately \$2,800 per space since the area was already a parking lot and the job called for complete removal of the old lot and replacement of new bedrock and asphalt as well as irrigation and lighting.

Mayor Bain mentioned that years ago Max Milam had offered to contribute \$10,000 toward a parking structure and the use of CITT funds was not an option at that time. He said that it is hard to understand why CITT funds could not be used to build the parking lot because the location is within walking distance to the bus stop.

City Manager Borgmann offered to forward the concept to CITT representatives the next day.

Councilman Espino said that the Village of Pinecrest has a parking lot that is meant to facilitate multi-modal transportation.

City Manager Borgmann reminded Council that the issue with Pinecrest is that the CITT numbers were slightly below \$800,000 for a "Park and Ride" garage near the Metro-rail station. There was no way that the garage could be constructed for that amount of money and there was a lot of "Not in my Backyard" response. They abandoned that concept and gave back the CITT funds.

Mayor Bain **requested** a report from the City Manager at the next meeting on whether or not CITT funds can be used for the parking garage and what is the balance of the CITT funds and the remaining paving to be done.

10F) Resolution No. 2011-3506 – A Resolution of the City Council of the City of Miami Springs Authorizing the Proper Officers and Officials of the City to Execute a Community Development Block Grant (“CDBG”) Contract Between the City of Miami Springs and Miami-Dade County which Provides for an Additional \$25,000 in Grant Funds for the Rehabilitation of the City Senior Center; Authorizing and Approving the City’s Acceptance of the Miami-Dade County CDBG Additional Grant Funding of \$25,000; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

Councilman Lob moved to approve Resolution 2011-3506. Councilman Best seconded the motion, which was unanimously carried on roll call vote.

To answer Mayor Bain’s question, City Manager Borgmann clarified that the funds would be used to complete the improvements of the Senior Center facility, including ADA upgrades; this activity is recommended for funding under the “finish what we started” policy.

Councilman Espino asked if the City could qualify for any other CDBG grants.

The City Manager said that he could ask if there are additional funds and provide that information to Council as soon as possible.

10G) Discussion of Need to Revise District Boundary Regulations in the Abraham Tract Area of Miami Springs

Mayor Bain explained that he requested this agenda item based on information he received regarding a possible development project in the Abraham Tract. His thoughts are that the Abraham Tract should be part of the Special Meeting and he wants Council to take into consideration that the district boundary regulations for this area might be the same as N. W. 36th Street with a few revisions that the City Attorney could draft. The first consideration is that there will be no residential development and he feels that the regulations should be considered at the same time as N. W. 36th Street by working together.

City Attorney Seiden spoke with Lorraine Tappen of Calvin, Giordano & Associates and asked for them to submit a proposed work order for the Abraham Tract. She said that they did not feel comfortable doing that until asked by Council. He discussed the process with her because of the fact that they are taking one part away at a time from the existing Airport Highway Marine Business District. He has a feeling that Calvin Giordano will be very reasonable in what they are doing.

City Attorney Seiden added that the Abraham Tract is a district that must include regulations for adult usage as part of the plan. He would suggest that the City Clerk or City Manager should advise Calvin Giordano to prepare and submit a proposed work order.

Councilman Espino moved to direct the Administration to ask Calvin, Giordano & Associates to prepare a work order. Councilman Lob seconded the motion.

Mayor Bain stated that during his term in office, Council had approved district boundary regulations without the assistance of a consultant. He reiterated that the Abraham Tract boundary regulations could be developed based on the regulations for N. W. 36th Street.

Councilman Espino explained that the Abraham Tract is different than N. W. 36th Street since there is more density and has additional uses.

City Attorney Seiden agreed with Councilman Espino. He explained to the Mayor that there should be continuity. He said that the district boundary regulations for N. W. 36th Street are very complex and much of the regulations apply to both areas. He is trying to protect the City's interest; Calvin, Giordano was hired for this purpose and they should finish their job.

The motion was unanimously carried on roll call vote.

11. Other Business:

11A) Consideration of "Policy" to not Host Candidate Forums on City Property

City Manager James R. Borgmann stated that several weeks ago a request was made by the Woman's Club and Council was asked to entertain the motion of hosting the candidate forum in the new theatre. Since time is of the essence, Council is being asked to consider this request.

Councilman Lob said that it would be fine with him to use the theatre for the candidate forum.

Vice Mayor Ator explained that she approves the use of the theatre. Her concern is that the date selected is March 15th, and it is in the middle of Spring Break.

Nikki Jester stated that Spring Break starts March 14th, the schools are closed and they could use the schools. They checked and the Sosa Theatre was available until March 18th or 19th and it would be a perfect location.

Vice Mayor Ator asked if the date could be changed to the week before or after Spring Break.

Donna Wood-Beney of 3971 N. W. 65th Avenue, Virginia Gardens explained that there is not enough time to publicize the forum if it is held the week before and the week after the theatre is being used by the Pelican Playhouse. The only solution would be to speak with Ralph Wakefield to see how it would affect his set. It is impossible to hold the forum earlier and holding it later would only be possible with Mr. Wakefield's approval.

Vice Mayor Ator agreed that the theatre is a wonderful location, although many people go away on vacation during Spring Break.

Tom Curtis of 45 Curtiss Parkway said that the River Cities Gazette would cover the forum and holding it on Tuesday, March 15th would not work at all. He would support holding the forum at the Community Center and would encourage it to be held the next week.

Discussion ensued regarding the possibility of videotaping of the forum.

Council **approved** the use of the Rebeca Sosa Theater for the Candidates Forum to be held on Wednesday, March 16, 2011 at 7:00 p.m.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

Radar Signs

City Manager Borgmann reported that the radar sign installation had commenced. There were complaints from neighbors about some of the locations.

North Royal Poinciana Improvements

City Manager Borgmann said that rumble strips were installed on North Royal Poinciana Boulevard by the Elementary School and the lines were restriped.

Police Golf Tournament

City Manager Borgmann announced that the Police golf tournament will be held on Friday, March 4th to benefit the fallen officers. There are 160 players participating in the event.

Annexation Meeting

City Manager Borgmann reported that an annexation meeting is scheduled for 2:00 p.m. on Wednesday, March 9th with the Infrastructure and Land Use Committee.

Candidate Signs

City Manager Borgmann informed Council that he drafted a letter to send to all candidates reminding them of the rules for political signs that are not allowed in the public right-of-ways.

Diving Board

City Manager Borgmann announced that the swimming pool diving board installation is finished and ready for final inspection.

Summer Camp

City Manager Borgmann said that Summer Camp sign ups will take place on Saturday, April 2nd beginning at 8:00 a.m.

Library

City Manager Borgmann reported that the library received a temporary certificate of occupancy. A soft opening is scheduled for the middle of March and a grand re-opening in approximately two months.

Congratulations

City Manager Borgmann congratulated Program Supervisor Patti Bradley and the Recreation staff for the biggest and best Daddy/Daughter Dinner ever. There are plans to use two rooms at the Country Club for the event next year.

12C) City Council

April 5th Election

Councilman Best said that there could be three reasons that he was unopposed in the upcoming election. First, he hopes that it is not because of apathy; second, it might be a win/lose situation that someone might not want to attempt, or third, it is a good thing to look at both sides of the issues and respect peoples' opinions. He has tried to do this in all the years he has served on Council.

All Angels Silver Ball

Vice Mayor Ator thanked the Mayor and Councilman Espino for attending the All Angels Silver Ball that was a very successful event.

Movie Night

Vice Mayor Ator mentioned that All Angels Movie Night is scheduled on the same night as the Relay for Life in March and her initial reaction was to reschedule it to another night, but there was some interest in holding it in conjunction with the Relay and they are hoping All Angels can do that.

Candidate “Meet and Greet”

City Manager Borgmann announced that the Woman’s Club is hosting a “Meet and Greet” the candidates at 11:00 a.m. on Monday, March 7th.

All Angels Silver Ball

Councilman Espino reported that he attended the All Angels Silver Ball and that he had a great time.

Curtiss Mansion

Councilman Espino reported that the work at the Curtiss Mansion is moving along tremendously.

Legislative Priorities

Councilman Espino said that the Miami-Dade League of Cities legislative priorities should be finished this week and he will send them to the Administration as soon as possible.

Revitalization

Councilman Espino said that there is an interest in a development on Le Jeune Road that he is very excited about.

All Angels Silver Ball

Mayor Bain joked that Vice Mayor Ator was dressed like Audrey Hepburn and Councilman Espino was dancing Salsa at the All Angels Silver Ball.

Daddy/Daughter Dance

Mayor Bain reported that the Daddy/Daughter Dance was a spectacular event thanks to Patti Bradley and the Recreation staff.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 10:38 p.m.

Billy Bain
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

Approved during meeting of: ____

Transcription assistance provided by Suzanne S. Hitaffer.



CITY OF MIAMI SPRINGS, FLORIDA

The **Ecology Board** met in Regular Session at 7:00 p.m., on Tuesday, February 22, 2011 in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The following were present:

Board Member Wendy Anderson-Booher
Board Member Carl Malek
Board Member Dr. Mara Zapata

Absent:

Chairman Martin Crossland

Also present:

Board Secretary Aly Paz

2) Approval of Minutes

Minutes of the October 26, 2010 meeting were approved as written.

Board member Dr. Mara Zapata moved to approve the minutes. Board member Wendy Anderson-Booher seconded the motion which was carried unanimously on voice vote.

3) Old Business

A. Visit to Waste Management Recycle Plant

Chair Martin Crossland was unable to attend the meeting tonite, therefore this issue will be held over until he is able to attend and present his report.

***** New business item #A was addressed at this time *****

B. Commercial Recycling Memo

Board members have not received any feed back from Council members regarding the suggested commercial recycling memo created by Board member Dr. Mara Zapata.

Discussion followed. Board members agreed to try to contact their respective Council members for direction regarding this memo and report back at next month's meeting.

C. Various Recycling Issues

Vice Chair Anderson-Booher reviewed items the Board has been working to inform new Board member Carl Malek of the various recycling issues the board has been discussing.

Discussion followed.

Board member Carl Malek had a question from a resident about the proper disposal of compact fluorescent light (CLF) bulbs and if the City could provide special bins within the City limits for residents to place these types of bulbs for recycling.

Discussion followed. Board members agreed to check into the proper disposal of these types of bulbs and to ask for guidance from Council on placing recycle bin for them somewhere in the City.

Ana Ferrer, school teacher at Miami Springs Middle School and advisor for the Environmental Club (786-357-8856, aferrer1@dadeschools.net) requested to address the board. She wished to express the club's disappointment with there being no recycle bins available anywhere in the city or at any events held in the city. She tries to instill recycling habits to her students and received questions from the students asking what to do with any recycle items they have when there were no recycle bins for them use. Ms. Ferrer also expressed concern with there being only one trash can for blocks along Westward Drive.

Discussion followed.

Board member Zapata agreed to do a survey on the number of trash containers along Westward Drive and Curtiss Parkway and report back at the next meeting.

Let the minutes reflect that all the members of the Ecology Board are very much in favor of having recycle containers at all events held within the City of Miami Springs and hope that Council will look into having containers properly marked and placed where necessary.

4) New Business:

A. Selection of Vice Chair

Discussion was opened for the position of Vice Chair since the previous Vice Chair had to resign due to moving out of the City of Miami Springs.

Board member Wendy Anderson-Booher volunteered to be the Vice Chair. Board members approved unanimously by voice vote.

5) Adjournment

There was no further business to be discussed and the meeting was adjourned at 7:52 p.m.

Respectfully Submitted,

Aly Paz
Board Secretary

Attachment

Approved as _____ during meeting of: _____

Words ~~-stricken through-~~ have been deleted. Underscored words represent changes. All other words remain unchanged.

"The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council".



DRAFT

CITY OF MIAMI SPRINGS, FLORIDA

The **Architectural Review Board** met in Regular Session at 7:00 p.m., on March 2, 2011 in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The meeting was called to order at 7:10 p.m.

Present were: Chairman Mark A. Trowbridge
Vice Chair Kathy Fleischman
Bob Calvert
Juan A. Calvo
Rogerio Plasencia

Also present: Council Liaison Jennifer Ator
Board Secretary Lina Bryon

2) Approval of Minutes: February 2, 2011

Board member Plasencia moved to approve the minutes as amended. Vice Chair Fleischman seconded the motion which was carried unanimously on voice vote.

3) Old Business

A) Discussion/Update on Proposed Amendments to District Boundary Regulations for the Commercial Revitalization of N.W. 36th Street By Calvin, Giordano and Associates, Inc.

Chairman Trowbridge stated that Roger Plasencia agreed to look at the Flow Chart proposed by Calvin, Giordano and Associates to be clear on one box that might be missing from the equation for the Development Review Procedure (DRP) He asked Board member Plasencia to begin with the analysis.

Board member Plasencia agreed. First he wanted to thank Vice Mayor Jennifer Ator for all the effort she has been doing representing the Architectural Review Board as the Liaison. He reiterated that Council Liaison Ator put a lot of time and effort representing the ARB members and that is very much appreciated by all.

Board member Plasencia also thanked Councilman Espino for making an effort to represent and back the ARB in all the good intentions that the Board members have.

In reference to the last Council meetings, Board member Plasencia said that the Council had been discussing two issues. During the February 14 meeting, the Development Review Procedure (DRP) Chart was discussed primarily; and in the Council meeting on February 28th it was the change to the ordinance regarding the ARB.

Board member Plasencia emphasized that the definition of the ARB as well as the Code has been changed in a first reading.

Chairman Trowbridge noted that during the last Council meeting there were three or four different languages proposed to change the ordinance about the role of the ARB. The original ordinance was in the February 24th agenda packet and Council Liaison Ator wrote a revised draft.

The Chairman explained that the City Attorney revised and changed his ordinance and Councilman Espino drafted another and submitted the third one. There were three different items to discuss at the last Council meeting of February 24th.

Council Liaison Ator arrived at this time. The Chairman told her that during the first part of the meeting Board member Plasencia thanked her for her outstanding representation and efforts toward the ARB.

Council Liaison Ator explained that the City Attorney prepared a draft ordinance about the role of the ARB that was presented at the last meeting and the Council agreed that the ARB should be involved in the revitalization process. She recognized that the Council was not as specific as they should be, because they did not have the Code in front of them.

Council Liaison Ator said that she asked for a copy of the City Attorney's ordinance which she read and found out that it did not dignify the ARB members at all. Ms. Ator noted that the City Attorney crossed out the end of the ordinance and added two paragraphs which she thinks are a little vague. In response, she wrote another version which is based on the current Code. Councilman Espino also made a draft and changed the two paragraphs that the City Attorney wrote and took out all the demeaning and objectionable language.

The Council Liaison explained that she talked with the City Attorney Friday morning to ask if he reviewed and signed off on the form. The City Attorney replied that he really did not need to do that and she and Councilman Espino could send out their versions of the ordinance for the Council meeting. The main difference between her version and Councilman Espino's was that she left in the notice clause, which was discussed and it passed on first reading without the notice clause. Council tabled discussion on Councilman Espino's proposed Chart.

The Council Liaison explained that she did not understand why the Architectural Review Board cannot work like the Board of Adjustment. She discussed that with the City Attorney several times and recognized that the Board of Adjustment is more complicated with the appellate process and the due process issues and requirements that the BOA has; if a Board is just an advisory board like the ARB, no appeals are involved.

Council Liaison Ator asked the Board members if they had any questions.

Chairman Trowbridge said that during the last joint meeting of February 2, the ARB members stated that they wanted to know how they fit into the process of the revitalization of the City, and that Board member Plasencia offered to do some homework to help the Consultants and revise the box concept.

Board member Plasencia replied that the homework was supposed to be done by the Consultants, not the ARB members, because during the presentation, the Consultants admitted that their Procedure Chart was not accurate.

Council Liaison Ator further explained that after the joint meeting of February 2, Lorraine Tappen from the Consultant's firm, called the City Attorney. She has the perception that Ms. Tappen asked him about the Code which says that the ARB should be involved in the process, contrary to what the City Attorney and some of the Council members told them, and Ms. Tappen asked the City Attorney what to do with the Code.

Council Liaison Ator said that as a result of that, the Consultants revised the boxes that they submitted at the next meeting. The Council had an argument about whether or not the ARB should be involved in the process. The Council decided that the ARB should be involved at some point, and the City Attorney went back and amended the Code.

Board member Plasencia asked Council Liaison Ator to explain the Development Procedure Chart. He said that the chart that the City Attorney presented at the meeting of February 14th was totally unknown to him.

Council Liaison Ator replied that the chart had a little asterisk at the bottom that said: *"The ARB should be excluded from this process"*.

Board member Plasencia affirmed that it is important for all the Board members to understand that.

Council Liaison Ator said that at the meeting of February 14th, the City Attorney stated that he had talked to Chairman Trowbridge and that he agreed with that chart. She said that her response to him was that that cannot be. If the City Attorney were to read the minutes from the joint meeting of February 2nd, there is no place where it says that the ARB does not want to be included in the process.

Chairman Trowbridge remarked that he never had that conversation. He noted that the City Attorney had called and complained about a member of the ARB who was too hard on the Mayor in a public forum. The Chairman stated that it was all the conversation between them.

Board member Plasencia asked about who was that person but the Chairman did not mention any name.

At the meeting of February 14, the Mayor affirmed that he wanted to streamline this process and Councilman Best agreed. At the end, Councilman Best voted in favor of the ARB being included in the process and the voting was 5-0 after a long discussion.

Board member Plasencia said that looking at the details about what was drafted at the meeting of February 14th, in the box where it says "*Mandatory Preliminary Review of Proposed Plans and Project Designs with City Staff*", there is an asterisk that reads: "*The determination of the City Staff participation would be decided on a case by case basis*".

Council Liaison Ator said that this sentence is an answer to the original version of the box that said "*Mandatory meeting with City Manager, City Planner and Consultants*". The word Consultants means that the City has to be involved with a Consultant for perpetuity and that it is not good for the City; and that was her objection to that.

Council Liaison Ator said that the other problem with the actual proposed Code for the District Boundary Regulations is that it came on Monday during the day and it is very interesting that it was five days before the consultants forwarded the e-mail that said: "Forward to the Council people", but the City Council did not receive it until five days later.

Council Liaison Ator further explained that the Code drafted by the Consultants also included all the peculiar language about the Professional Revitalization Consultant (PRC) and enumerating it within the Code. The Council did not discuss it Monday night, but the City Attorney recommended that all Council members should look at it.

Board member Calvo asked if the Consultants had sent a new DRP Chart.

Board member Plasencia stressed the importance of the ARB being present at the Special Council Meeting of March 9 at 7:00 p.m.

Council Liaison Ator said that there will be a Sign up Sheet and she recommended all board members to sign before the meeting starts, because if they do not sign they will not be able to talk at the meeting.

Board member Calvert asked the Council Liaison why the Code Book said, under A: "The ARB should function as an Advisory Board for the City Council..." and then on the part of duties and Responsibilities, it reads: 1) "To act as an Advisory Board for the City Council and all matter relating to Architecture in design ordinances, issues and policies of the City"... and then under 3-) "To make recommendations..."; 6-) "To advise the City Council with suggestions for Architectural and Design policies"... Board member Calvert said that he does not understand why in the several Council meetings it had said that it is necessary "To take the teeth away from the ARB"... he asked what teeth the Architectural Review Board has.

The Council Liaison recognized that the phrase about "teeth" had been mentioned before and stated that it is very clear from the meeting of last Monday that there is fear of the ARB participating in the process, because the process will be hurt by too much burden. She remarked that it is too much burden, too much government, too many barriers to begin the development and revitalization. She stressed that the Mayor is the first proponent of that.

Council Liaison Ator explained that at the last meeting the argument of publishing notice was raised. She praised the ARB for their excellent labor and said that her feelings are that in the future the ARB will be part of the process and people will come to the meetings and see the work that they do on a monthly basis.

Board member Plasencia talked about the ordinance that was approved on first reading on February 28th. He commented that it is a good ordinance for the ARB, but the citizens were hurt in a way because the notice provision was left out.

Council Liaison Ator agreed.

Chairman Trowbridge asked if any member wanted to make a motion about the inclusion of the notice provision because it could be approved on the second reading and there was no response to his proposition.

Board member Plasencia expressed his concern because right now the Board members have their hands full just trying to defend the ARB. He stated that the ordinance that Vice Mayor Ator prepared is more powerful and can stand by itself. His concern is about the ordinance that Councilman Espino prepared because that ordinance cannot stand on its own; it has to be read in conjunction with the DRP.

Mr. Plasencia reiterated that it is critical that at the next meeting when Council reads the ordinance prepared by Mr. Espino, it has to be read together with the DRP that he prepared. If that does not happen, the ARB will not accomplish anything and it is very important to understand the technicality of that.

Board member Calvo suggested discussing in detail the importance of the notice provision.

Council Liaison Ator agreed with Board member Calvo and replied that her concern is that the DRP Chart should be discussed after the ordinance, because of the numeration it has.

Board member Plasencia agreed.

Vice Mayor Ator stressed that is disappointing that the City has a Code that will rely on something that it is not in the Code, because of the political claimants and the election coming up. She said that it is a shame that people are not encouraged to think independently.

Board member Plasencia suggested making copies of the DRP Chart.

The Secretary of the Board made copies for every Board member.

Board member Calvert suggested making copies of the Code of Ordinances for every member of the Board.

Board member Calvo said that the Code of Ordinances is on the City of Miami Springs' Website.

Board member Plasencia noted that one of the main reasons that the ARB ordinance is altered is because of the way it is written. He reiterated that Ms. Tappen, of Calvin Giordano and Associates recognized that the ARB has been ignored. He explained that he would not go as far as saying that any laws have been broken because he is not an attorney, but the role of ARB has been overlooked conveniently and now that the ARB wants to be involved the Code is being modified to regain control.

Chairman Trowbridge replied that it is a speculation.

Board member Plasencia denied that it was a speculation.

Council Liaison Ator remarked that she was unhappy with the City Attorney's draft because of the way he wrote the two added paragraphs. She said that in her draft she tried to explain why and how the ARB will work. She feels that Councilman Espino used an appropriate language in his re-drafting of the ordinance and took off the offensive language that the City Attorney had drafted in his own.

The Council Liaison said that she invited Councilman Espino to come to the Board and to speak about his draft but Mr. Espino said that he will talk about that at the Special Council meeting on March 9th and that the ARB members are welcome to attend that meeting.

Board member Calvert reiterated the importance of reading the Code and the ordinances.

To answer a question asked by Board member Plasencia, the Council Liaison said that one of the issues discussed at the last Council meeting on first reading, was the revision of the Code Section 32-100 pertaining to the ARB. The revision that the Consultants are proposing is the Section 150-154 relating to the Airport Marine Highway Business District (AMHBD).

Board member Calvo explained how the Notice works and its importance, especially for the City and the developers.

Board member Plasencia agreed with the explanation of Board member Calvo. Mr. Plasencia said that the notices are important for the City and especially for the City Attorney, which should be more focused on them and how the process will affect the City.

Board member Plasencia said that the DRP Chart is self-explanatory. The first box: "*Informational Session*" is completely optional, because the developer already has this information. The "*Mandatory Preliminary Review*" Box is the first formal step and it includes the Professional Revitalization Consultant (PRC). The Box "*Submittal to BOA/Zoning and Planning*" is optional and only applies if the developer has a variance. The box "*Submittal of Construction documents to City Building Department*" applies if the builder submits his construction documents to the City for a permit and a technical review. This is the most important step and it is the only moment that the ARB has to cross-check.

Board member Calvo commented that the boxes reflect the transformation that happens with every construction project in which the project schematics and designs become the construction documents which includes all the engineers' projects. He explained that all these check and balances are necessary to make the whole process work. The last box "*Permitting Issued and Construction Begins*" is not considered most of the time.

To answer a question asked by Board member Calvert, Mr. Calvo stated that the ARB's concern is anything and everything that affects the City from an aesthetic point of view.

Board member Plasencia pointed out that the role of the ARB for the City is critical. The ARB is the one who insures property values; he clarified that without the ARB's involvement, the property values are at stake.

Board member Calvert made a motion that every Board member should receive a copy of the Code of Ordinances. Board member Plasencia seconded the motion.

Board member Plasencia withdrew his second and the motion died for lack of a second.

Board member Plasencia moved to formally approve the plan with the inclusion of the ARB as a critical component in the discussion that is going to take place on the Special Council Meeting of the 9th in conjunction with the revised ordinance. Vice Chair Fleischman seconded the motion.

Chairman Trowbridge affirmed that Board member Plasencia and Board member Calvo gave the Board members real practical experiences of how to comply and how to fit in something that could eventually come before the ARB. They explained what is optional versus what is required, like the ministerial compliance section that is part of the “teeth” of the ARB. He said that he liked the fact that people understand that a step is skipped if no variances are required.

The motion was carried 4-1 on roll call vote with Board member Calvert casting the dissenting vote.

Vice Chair Fleischman asked for a copy of the notice provision.

Council Liaison Ator said that the notice is in the original language and it provided for notices on the building and on both sides of the street or on a vacant property. Her amendment recommends notice by posting the agenda on the City Website and in newspapers and publications of general circulation in the City. The notices will contain the address, hearing number and hearing date.

The Council Liaison commented that after a discussion at the Council meeting, the City Attorney said that it was too expensive to include notices in the newspapers but it seemed appropriate to send notices to people living at 500 feet from the property, the same way that is done by the Board of Adjustment and to put the agenda on the Website.

Chairman Trowbridge considered that one of the main issues is that the Notices are missing and asked Council Liaison Ator to re-introduce that issue at the next Council meeting and she agreed. He said that Board member Plasencia could approach Council member Espino to advocate for the notices and Mr. Plasencia agreed.

The Chairman asked the Board members to go to the Special Council Meeting on March 9th at 7:00 p.m.

Board member Calvo advised that the Consultant’s presentation is an outline. He affirmed that the Consultants never made a whole vision or an image of 36 Street as Joe Valencia, from the Ad-Hoc Committee, noted during the last meeting of February 2.

Board member Calvo said that the physical quality is absent of the presentation made by Calvin, Giordano and Associates. He said that it is not possible to see how 36 Street is going to look after all the changes are done because something is missing.

Council Liaison Ator said that it happened because the Council asked the Consultants to do only a part of 36 Street. She explained that 36 Street is divided into three Sections and the Consultants were told by the Council to work just on one part of 36 Street.

Board member Calvo said that the Consultants should be able to do the whole vision of 36th Street working on just that part of the City.

The Council Liaison invited him to share his comments at the Council meeting.

Board member Plasencia stated that one of the limitations of the ARB is that the Consultants are hired, but the Council is limited in using the Consultants.

Council Liaison Ator said that the Council chose to have no limits on the use of the Consultants.

Board member Plasencia said that his comments should turn into a motion. It is that the Consultants presented a form based Code and Design Guidelines, and whatever the Consultants presented is going to be projected into the quality of their work; going back to the model of the City that the ARB used to develop the signs based on Rosemary's Beach.

The Chairman said that the Board members are ahead of themselves and he does not think that should be a motion now.

The Council Liaison reiterated that Board member Plasencia should go to a Council meeting and share his concerns with the Council. She said that everybody that goes to the Council receives a response sooner or later.

Council Liaison Ator said that she found that the ARB members are very reasonable and diligent, and she tries to be the ARB's best advocate possible but she feels that everybody is their own best advocate.

4) New Business:

A) Discussion regarding February 14 and 28, 2011 Council Meetings

This item was discussed under Old Business.

5) Adjournment

Vice Chair Fleischman moved to adjourn. Board member Plasencia seconded the motion which was carried unanimously on voice vote.

There was no further business to be discussed and the meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

Lina Bryon
Clerk of the Board

Transcription assistance provided by S. Hitaffer

Approved as _____ during meeting of: _____

Words ~~-stricken through-~~ have been deleted. Underscored words represent changes. All other words remain unchanged.


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Golf and Country Club Advisory Board

Cancellation Notice

The Golf and Country Club Advisory Board meeting scheduled for Wednesday, March 9, 2011 has been canceled in advance.


Suzanne S. Hitafter
Deputy City Clerk

cc: City Council
City Manager
Assistant City Manager
City Attorney
City Clerk
Golf and Country Club Advisory Board Members
Mike Aldridge, Golf Director
Post



DRAFT

CITY OF MIAMI SPRINGS, FLORIDA

The **Recreation Commission** met in Regular Session at 7:00 p.m., on Tuesday, March 8, 2011 in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The meeting was called to order at 7: 15 p.m.

The following were present:

Dr. Stephanie Kondy
Jorge Santin
Beth Tilman

Absent:

Vice Chair Clark Rinehart
Chairman John Shapiro

Also present:

Board Secretary Lina Bryon

2) Approval of Minutes

The minutes could not be approved because Dr. Kondy was not present at the last meeting.

3) Old Business

A) Creation of a "Wall of Fame" at the Community Center

Board member Tilman wanted to know what was discussed at the last meeting in reference to the "Wall of Fame".

Board member Santin said that the last meeting was canceled due to lack of a quorum, and that she was present at the last meeting the Board held. He explained that the Council suggested the creation of a "Wall of Fame" to recognize the local community residents that gave a lot of their time to recreational activities and this is something to be considered by the Recreation Commission members.

Board member Kondy asked if it is only for recreation or there are other community involvements.

Board member Santin replied that the creation of the "Wall of Fame" applies specifically to the Recreation Department. The Memorial Committee has a wider spectrum for other community involvements and the Council asked the Recreation Commission to center in recreational activities and to consider the nominations at their own capacity.

Board member Tilman noted that the Pelican Playhouse is not a sport but should be included since it is at the Recreation Center and is part of the package of recreational activities.

Board member Santin agreed.

Board member Tilman said that the Board could come to a conclusion about how the people will be nominated. After that, the Recreation Commission should present its selection to Council for approval.

Board member Santin noted that this is one of the things that should be discussed tonight.

Board member Kondy commented that the last minutes said that Chairman Shapiro is going to represent the Board with the Memorial Committee and she would like to read the Guidelines for that.

Board member Santin said that he does not have the guidelines for the Memorial Committee but he feels that the person does not have to be a resident of Miami Springs.

Board member Tilman suggested that the selection could include a ceremony once a year and the people selected will be sports criteria concerned and have shown some impact at the community. She sets the example of a coach, whose work could have a tremendous impact at the youth of the community, and the kids see him as a role model.

Board member Tilman stated that the nomination process should follow some criteria and she asked how many people a year could be selected; it could be five or ten people a year. She pointed out that it could not be so exclusive but it cannot be so huge because the City has a lot of recreation programs, like swimming, football, wrestling, basketball, soccer, baseball, the Pelican Playhouse.

Board member Kondy agreed and stated that if the Board makes the process so open, it could loose the impact at the community and she feels that every person nominated does not have to be selected.

Board member Tilman said that Summer Camp or After School Care programs that are actually going on at the Recreation Center could have people that should be included in the process if over a period of time they make a positive impact in the community.

Board member Santin stated that the process would begin with a resume which reflect the activities, experiences and contributions to the community of the person nominated and it should includes at least two letters of recommendation.

Board member Tilman added that the letters could include the experiences of people who have been impacted by them. She noted that she knows people whose lives have been changed by somebody's work, and she set the example of her own children whose lives have been changed by the people at the pool of the Recreation Center.

Board member Tilman mentioned Joe Milligan who is deceased and was the pool manager of the Recreation Center and worked tirelessly to have the pool ready for the children all the time, and it was like the kid's home. She remarked that people like this deserve to be remembered.

Board member Santin remarked that being a resident of the City is not a condition to be nominated and everybody agreed by consensus.

Board member Kondy asked if the nominations will be open for the general public, excluding the Board members.

Board member Tilman and Board member Santin agreed.

Board member Tilman asked if the nominations would come to the Recreation Commission Board and then the Memorial Committee will make that decision.

Board member Santin agreed and clarified that they will probably create a sub-committee for the selection of candidates.

Board member Tilman reiterated if the Board members liked the idea of nominating a certain number of persons per year. Board member Santin and Board member Kondy agreed that it could be implemented at the beginning.

Board member Kondy commented that the process could not be limited. She said that somebody could do something fabulous and come up with a grant. She explained that maybe that person did not have to be involved for a long time, but things like these could have a big impact on the community and could be one of the factors at the criteria selection.

Board member Tilman suggested that the Board could find a time of the year that will be somehow associated with the nominations. She said that it could be the anniversary of the opening of the Recreation Center, or something remarkable where people felt that they are really recognized by the City of Miami Springs.

Board member Kondy suggested the River Cities Festival, with a crowd attending the ceremony.

Board member Tilman remarked that Recreation Director Omar Luna might know something that is coming up. She suggested making a note of that to ask Mr. Luna at the next meeting.

Board member Santin asked if it is going to be a plaque on a wall with the name of the person selected. He clarified that it could be a potential for vandalism and chose the lobby of the Recreation Center for the mural.

Board member Tilman and Board member Kondy agreed. Ms. Tilman advised that she does not want just a metal thing with a name; she prefers something more artistic and beautifully painted in the wall with the name and title of the person selected that everybody could read and understand and will not be forgotten with time.

Board member Santin asked if the Memorial should be in the Wall and everybody agreed.

Board member Kondy said that it could be a metal plaque and a banner, and the names of the persons in the banner go to the plaques at the end of the year.

Board member Santin suggested working on the details progressively and advise the Council to direct the City Manager to inquire on the cost and agreed that this is something which the Board has to move forward with.

At a question asked by Board member Kondy, Board member Tilman felt that the budget for the "Wall of Fame" will be large. She recognized that she does not know how much the cost will be.

Board member Tilman suggested that the Board could begin accepting nominations for the "Wall of Fame" at the Rivers City Festival. She suggested having booths with forms and the criteria required at the Recreation Center where people could deposit their nominations. She mentioned the Fourth of July as an alternative date for receiving the nominations.

Board member Santin asked if the letters of recommendation will be necessary and he reiterated that they should have at least two.

Board member Tilman replied that the recommendation letters make a lot of sense and Board member Kondy agreed.

Board member Santin asked if they agreed with the idea of the Recreation Commission Board selecting the candidates for the "Wall of Fame" until a sub-committee is created and everybody agreed.

Board member Tilman recognized that this is something that cannot be done in a night. She reiterated that this is a process that should be slowly digested by all Board members and set an example about the nomination process. She said that it could be done in February but the final decision could be in April, with enough time to think and come to a conclusion, especially because every member of the Board knows different things which could be shared in a meeting.

Board member Tilman suggested publishing the application form at the Gazette and that way people will think of somebody to nominate. She suggested that Mr. Gorland might know the cost.

Board member Santin said that he can put the form in his personal board.

Board member Kondy recognized that they have to share a decision about the criteria and how the form for the nomination is going to look like.

Board member Santin stated that all the Board members should agreed on the criteria.

Board member Tilman suggested to come back at the next meeting with something drafted based on the discussions of this meeting.

Board member Santin asked the Secretary to the Board to send the guidelines for the selection of the Memorial Committee.

Board member Santin moved to approve the "Wall of Fame" for the selection of persons who spent a lot of time helping others and contributing to recreational programs in the City. Board member Kondy offered the second. The motion was carried unanimously on voice vote.

Board member Tilman said that she wanted to mention the Middle School field, since it was discussed at the meeting of January, 2011.

Board member Santin replied that it was about re-soding the whole field and bringing it up to safety standards to be able to play and utilize it. The cost for landscaping and re-soding the whole field is about \$150,000 and the irrigation can also be installed if this happens.

Board member Santin moved that Council direct the City Manager to investigate the possibilities of the Middle School being re-soded and a new irrigation system installed plus the signing of a long term agreement with the County or the School System to utilize the fields near the Middle School as a sports recreation site. Board member Kondy seconded. The motion was carried unanimously on voice vote.

4) **New Business:** None.

5) **Other Business:** None.

6) **Adjourn**

Board member Santin moved to adjourn and Board member Tilman seconded the motion which was carried unanimously.

The meeting was duly adjourned at 7:40 p.m.

Respectfully Submitted,

Lina Bryon
Clerk of the Board

Approved as _____ during meeting of: _____

Words ~~-stricken through-~~ have been deleted. Underscored words represent changes. All other words remain unchanged.

"The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council".



CITY OF MIAMI SPRINGS, FLORIDA

The **Board of Adjustment** met in Regular Session at 7:00 p.m., on Monday, March 7, 2011 in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The meeting was called to order at: 7:03 p.m.

The following were present:

Chairman Manuel Pérez-Vichot
Ernie Aloma
Kevin Berounsky
Ariana Fajardo
Alternate Bill Tallman

Absent: Vice Chairman Francisco Fernández

Also present: City Attorney Jan K. Seiden
City Planner Richard E. Ventura
Board Secretary Lina Bryon

2) Approval of Minutes

Minutes for the regular meeting of February 7, 2011 were **approved as written** upon motion by Board member Berounsky seconded by Board member Tallman and carried 4-0 by voice vote.

Note: Board member Fajardo did not vote because she was absent at the last meeting.

3) NEW BUSINESS

A) **Case # 07-V-11**
Darío Navarro
357 N. Royal Poinciana Boulevard
Zoning: NBD; Neighborhood Business District
Lot Size: 175 ft. x 10 ft.

Applicant is seeking the following variances:

1. From Code Section 150-071 NBD Neighborhood Business District (B) Allowed uses and off-street parking requirements (16); and
2. From Code Section 150-016 Off-street parking facilities (E) (7): For a reduction in parking spaces at a mixed-use development from an existing 50 spaces down to 47 spaces: A variance request for 3 parking spaces.

City Planner Ventura read the Applicant's statement:

"With the granting of this appeal we will provide the community with a safe, healthy and educational childcare facility environment. In addition, the granting of this playground area will allow us to provide new employment opportunities which are greatly needed. Daycare services are in high demand and this center will be a long term investment for the members of our community".

City Planner Ventura stated that Code Section 150-016 Off-street parking facilities (E) (7) and Code Section 150-071 NBD Neighborhood Business District (B) (16) requires that off street parking spaces for a mixed-use building have to be determined by computing separately and adding together the requirements for individual uses.

The City Planner explained that the site plan for the development at 357 North Royal Poinciana Boulevard was approved at the April 2006 Zoning and Planning Board, and the proposal was for eight business spaces on the ground floor and twelve condominium units on the two upper floors. At that time, 50 parking spaces were required and 50 were provided. Mr. Ventura noted that a count on the provided site plan produced a sum of 50 spaces, and counts of the spaces for this present case survey and site plan, also produced a sum of 50 spaces for each.

City Planner Ventura remarked that this current request pertains to a proposed tenant, a daycare center which will be open for business at 357 North Royal Poinciana Boulevard, contingent upon approval being given for the removal of three of the existing spaces in the back with the purpose of installing a small playground. The case site plan and the last photo indicate the exact location of the playground.

Mr. Ventura further explained that presently all top twelve condominium units are occupied and four of the eight business spaces on the ground floor are also occupied, by a massage clinic, a bakery and an Allstate insurance office (with two units). The proposed day care would take up the remaining four business spaces.

City Planner Ventura said that the idea of bringing in a new business into the City is appealing at this time, as well as the fact that the daycare, once established, would mean 100 percent total occupancy for this building. Lastly, the case photo of the back parking lot gives an indication of the parking demand at this facility.

Staff therefore recommends approval of this variance request to reduce the available parking at 357 North Royal Poinciana Boulevard down from 50 spaces to 47 spaces: A variance request for three spaces.

City Planner Ventura explained that after the recommendation was drafted, a couple of items had come up. First, the daycare facility needs a dedicated drop-off and pick up point for the children that he thinks could be at the front of the daycare center, at front west façade.

City Attorney Seiden noticed that the plan of 357 North Royal Poinciana Boulevard has a typographical error because the lot size cannot be 175 by 10 feet; it is 175 by 150 feet. Also, any granted variance of this kind should have a covenant attached that says that if the tenant ever left, the space would be put back as a parking space again.

City Attorney Seiden disagreed with the location of the drop-off because off street parking cannot be dedicated to drop-off the children, it has to be in the back, somewhere by the back door; not on the City property. He invited the Applicant, Dario Navarro, to answer some questions about the variance required.

Chairman Pérez-Vichot asked how many square feet are involved in this variance.

Dario Navarro, Manager of Impact Development at 357 North Royal Poinciana Boulevard, said there is about 6,000 square feet in the bottom and it is a symmetrical building. It could be around 3,000 or 4, 000 square feet.

Chairman Pérez-Vichot asked if the variance will be at the west side.

Mr. Navarro answered affirmatively and pointed out that he agreed with the City Attorney about the dedication of the drop-off space which he feels would be at the back, at the breeze-way, at a very good circulation spot. He emphasized that if anybody goes by the building they will notice that the way the building was designed it has ample parking space, of which only 20% is occupied most of the times.

City Attorney Seiden said that he wanted to explain something that does not have anything to do with the decision of the Board. He remarked that before spending any money or doing anything, the Applicant should submit a plan to the State of Florida because they are very strict about the safety issues related to the playground area; and if the playground is directly adjacent to a parking facility, the State might ask the Applicant to do something else or deny the application because the State could consider it too dangerous.

Chairman Pérez-Vichot noted that at the Dade County Building Department there is a parking lot at the back of the building, full of steel bollards that do not allow the cars to run in.

City Attorney Seiden reiterated the importance of submitting the plans to the State of Florida to save money, time and effort.

Board member Tallman asked if the sketch for the playground of 20 square feet is planned for 20 kids.

Yamilé Fernández, designer of 357 North Royal Poinciana Boulevard, answered that 20 sq. ft. is based on half the occupancy and it will be based on a schedule for the playground. She explained that 20 times 45 square feet is a square footage of 900 and that is the minimum requirement, but there never will be more than 20 children at the same time at the playground.

Chairman Pérez-Vichot asked if there will be several groups of kids going out at the same time.

Ms. Fernández answered affirmatively and explained that no more than 12 kids will be at the playground at the same time.

Board member Tallman asked about the drop-off and pick up space at the parking lot.

Ms. Fernández noted that the drop-off space would be towards the back of the daycare center, right there at the breeze-way as Mr. Navarro said.

Chairman Pérez-Vichot asked if the drop-off spot will be another parking space and Ms. Fernández answered affirmatively.

Chairman Pérez-Vichot commented that there is going to be four parking spaces instead of three.

Mr. Navarro said that there are a lot of options for the drop off but he prefers to dedicate another spot for the drop-off at the middle of the breeze-way. It will be safer and more aesthetically pleasing.

Chairman Pérez-Vichot stressed that the variance included four parking spaces. The edge of the playground right adjacent to the parking spot on the north side is a little bigger. He suggested shifting over and still maintaining the 900 square feet.

Ms. Fernández agreed.

City Attorney Seiden asked if a gate is included in the plans for the back area.

Ms. Fernández responded affirmatively.

City Attorney Seiden explained that a gate makes perfect sense at any of the sides, and there will be arrows which the cars will circle around instead of using another space.

Board member Aloma asked the City Planner how he arrived at the number of 50 spaces.

City Planner Ventura answered that he calculated the square footage of the business commercial ground floors and the condominium units.

Board member Aloma suggested giving the applicant one extra space because the kids will be safer that way.

City Attorney Seiden noted that the way the plan is designed it shows the traffic flow coming in towards them and going out towards the middle.

Board member Aloma said that the adjacent space would make sense.

Chairman Pérez-Vichot suggested giving the Applicant four spaces instead of three.

Chairman Pérez-Vichot asked if any correspondence was received.

City Planner Ventura said that the courtesy notices generated no response.

Chairman Pérez-Vichot asked for any comments from the audience or the Board.

Board member Aloma moved to allow the four spaces to be used for the playground with one of them used as a drop-off spot, contingent to signing a covenant with the City that if the tenant leaves, the space will be a parking space again. Board member Fajardo seconded the motion and it was unanimously carried by voice vote.

City Attorney Seiden reminded the Applicant of the ten-day appeal period and explained that this Board makes only recommendations. He said that the City Council will make a final determination at their next meeting of Monday, March 14, 2011.

**B) Case # 08-V-11
Faustino J. Capote
969 Pinecrest Drive
Zoning: R-1B; Single-Family Residential
Lot Size: 71 ft. x 148 ft.**

Applicant is seeking a variance from Code Section 150-042 R-1B district (C)
Building site area required: To construct a roofed terrace to the back of his home
on an undersize lot.

This case was not discussed because the Applicant was absent.

**Board member Tallman moved to table the variance. Board member Aloma
seconded the motion and it was unanimously carried by voice vote.**

4) OLD BUSINESS: None.

5) Other Business: None.

6) Adjournment

The meeting was duly adjourned at 7: 21 p.m.

Respectfully Submitted,

Lina Bryon
Clerk of the Board

Approved as _____ during meeting of: _____

Words ~~-stricken through-~~ have been deleted. Underscored words represent changes. All other words
remain unchanged.

*"The comments, discussions, recommendations and proposed actions of City Citizen
Advisory Boards do not constitute the policy, position, or prospective action of the City,
which may only be established and authorized by an appropriate vote or other action of
the City Council".*

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF MIAMI SPRINGS
PUBLIC HEARING - MARCH 14, 2011

in the XXXX Court,
was published in said newspaper in the issues of

03/02/2011

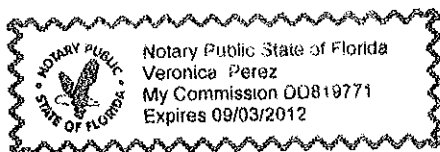
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

02 day of MARCH - A.D. 2011

(SEAL)

MARIA MESA personally known to me



PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, March 14, 2011, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinance:

ORDINANCE NO. 1010-2011 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, AMENDING CODE OF ORDINANCE SECTION 32-100, ARCHITECTURAL REVIEW BOARD- ESTABLISHED; BY REVISING THE AUTHORITY OF THE BOARD IN REVIEWING PROPOSED DEVELOPMENT PROJECTS; ESTABLISHING ADVISORY REVIEW AUTHORITY; SPECIFYING ADVISORY OPINION OF BOARD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

Anyone wishing to offer verbal or written comment regarding the proposed ordinance may do so at the public hearing. A copy of the proposed ordinance is posted for public review on the bulletin board located next to the elevator on the first floor at City Hall.

Magali Valls, CMC
City Clerk

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. §286.0105).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.
3/2 11-3-118/1659215M

\$80.75

ORDINANCE NO. 1010-2011

City Council Meeting of:

3-14-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, AMENDING CODE OF ORDINANCE SECTION 32-100, ARCHITECTURAL REVIEW BOARD-ESTABLISHED; BY REVISING THE AUTHORITY OF THE BOARD IN REVIEWING PROPOSED DEVELOPMENT PROJECTS; ESTABLISHING ADVISORY REVIEW AUTHORITY; SPECIFYING ADVISORY OPINION OF BOARD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the City Council has reviewed the currently existing authority of the Architectural Review Board in conjunction with its efforts to establish District Boundary Regulations and review procedures for the sub-districts of the Airport, Highway, Marine and Business District; and,

WHEREAS, as part of the establishment of development review procedures by the City Council, it has been determined that a revision of the role of the Architectural Review Board in the review process is required; and,

WHEREAS, the City Council wishes to create an environment in the City that is conducive to economic development by facilitating an appropriate and efficient development review process, by which all commercial development projects must abide; and,

WHEREAS, in accordance with the foregoing, the City Council has determined that it is in the best interests of the City and its citizens to amend Code of Ordinance Section 32-100 to specifically provide for the new role and function of the Architectural Review Board in that development review process:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 32-100, Architectural Review Board

- Established, is hereby amended as follows:

Sec. 32-100. Architectural Review Board - Established.

- (A) ...
- (B) ...
- (C) ...
- (D) ...
- (E) ...
- (F) ...
- (G) ...

(H) ~~Recommendations on Plans, Specifications and Designs. As a condition of the granting of any building permit or other related and required building or construction approval, the Board shall consider and make recommendations to the City Council in regard to any act upon plans, specifications and designs submitted in connection with applications for such approvals recommendations. The approval recommendation of at least a majority of the Board, evidenced by their signature on each set of plans, specifications and designs required to be submitted with each application for a permit or other approval, the minutes of the Board action, shall be a prerequisite to the issuance of any building permit or approval for the automatic review of the Board's recommendations by the City Council within thirty days of the action of the Board in regard to any plans, specifications or designs received for review.~~

(I) ~~Notice of Review by Board. In every case where the Board is scheduled to review preliminary plans for additions, exterior alterations and/or new construction of commercial projects, the Secretary of the Board shall cause a notice of the meeting to be given in the following manner:~~

(1) ~~Posting of Property.~~

~~(a) Each property shall be posted at least five (5) days prior to the Board meeting. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area, the color of which shall be yellow with black lettering and shall contain the following language:~~

**NOTICE
ARCHITECTURAL REVIEW BOARD
REVIEW OF PRELIMINARY PLANS**

PHONE: _____
HEARING NO: _____
HEARING DATE: _____

~~(b) The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, as many signs shall be erected on the street frontage as may be deemed adequate to inform the public.~~

~~(c) If such a sign is placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely to a stake or post which itself shall be fastened securely into the ground. Said sign shall not be located nearer than ten (10) feet nor more than fifteen (15) feet from the street property line, provided, however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said property line, the sign may be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.~~

~~(d) The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.~~

~~(e) It shall be a misdemeanor in the second (2nd) degree, punishable pursuant to Florida Statute 775.082 and 775.083, if any unauthorized person shall tamper with or remove the signs posted pursuant to this section.~~

~~(J) Authority to Require Modifications. It shall be the duty of the Board to require makes such recommendations for changes, if any, in any plans, specifications or designs presented as may be necessary to conform to the policies, standards and ordinances of the City of Miami Springs. The Board may also suggest or recommend such changes in said plans, specifications or designs, as in its judgment may be requisite or appropriate to the maintenance of the standards of construction, architecture, beauty and harmony currently existing in the City.~~

~~(K) Fees for Examination of Plans, Specifications and Designs. For examination of plans, specifications and designs by the Board, there shall be charged and collected by the City, in addition to all other building permit fees which are now or which may hereafter be prescribed by ordinance, the following:~~

- ~~(1) A fee of \$1.00 per \$1,000, or fraction thereof, of the estimated cost of the construction involved, with a minimum fee of \$50.00 for each set of plans, specifications and designs submitted, which shall be paid at the time of the submission of the plans, specifications and designs for examination.~~
- ~~(2) A fee of \$50.00 for each resubmittal shall be paid prior to any subsequent review of the Board.~~
- ~~(3) An additional fee of \$50.00 shall be paid if the project is to be posted prior to the Board's initial review or resubmittal review.~~

- (H) Review of Proposed Projects. As part of the City's Development Review Process for the City's commercial areas, the Architectural Review Board shall review the proposed schematics and designs of all development projects which have completed the mandatory preliminary review process. The Board may suggest or recommend such changes in said schematics or designs, as in its judgment may be requisite or appropriate to the maintenance of the standards of construction, architecture, beauty and harmony currently existing in the City.
- (I) Board Advisory Opinion. The minutes of each development review meeting conducted by the Board to review the schematics and designs of any proposed development project shall contain, and constitute, the advisory opinion of the Board on the specific project reviewed. The Board may include within its meeting minutes any additional information or documentation that may be further explanative of its project opinions. All meeting minutes of the Board shall be forwarded to the City Council for review and for consideration of any further action or appearance deemed necessary by the City Council.

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

(THIS SPACE INTENTIONALLY LEFT BLANK)

PASSED AND ADOPTED by the City Council of the City of Miami
Springs, Florida this 14th day of March, 2011.

The motion to adopt the foregoing ordinance was offered on
second reading by _____, seconded by _____
, and on roll call the following vote ensued:

Vice Mayor Ator
Councilman Best
Councilman Espino
Councilman Lob
Mayor Bain

" "
" "
" "
" "
" "
" "

Billy Bain
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 02/28/2011
Second reading: 03/14/2011

Words ~~-stricken-through-~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

MiamiHerald.com | THE MIAMI HERALD



PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, March 14, 2011, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinance:

ORDINANCE NO. 1013-2011 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS DELETING ALL REFERENCES TO THE 36TH STREET SUB-DISTRICT OF THE AIRPORT, MARINE AND HIGHWAY BUSINESS DISTRICT CONTAINED IN CODE OF ORDINANCE SECTIONS 150-154, 150-155, 150-157, 150-158, 150-160 AND 150-161; ESTABLISHING CODE OF ORDINANCE SECTION 150-164, NW 36TH STREET DISTRICT; PROVIDING PURPOSE; PERMITTED USES; PERMISSIBLE PRINCIPAL USES AND STRUCTURES - LIMITATIONS AS TO LOCATION; ACCESSORY USES AND STRUCTURES; PERMISSIBLE ACCESSORY USES AND STRUCTURES - LIMITATIONS AS TO LOCATION; PROHIBITED USES; SETBACKS, LOT COVERAGE AND FLOOR AREA; HEIGHT LIMITATIONS; OFF-STREET PARKING AND LOADING; SPECIFIC ARCHITECTURAL DESIGN STANDARDS; PROFESSIONAL REVITALIZATION CONSULTANT (PRC); DEVELOPMENT REVIEW PROCEDURES; PRC PRELIMINARY REVIEW MEETING; DEVELOPMENT REVIEW; EXEMPTIONS; FEES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; DIRECTIONS TO CODIFIERS; EFFECTIVE DATE.

Anyone wishing to offer verbal or written comment regarding the proposed ordinance may do so at the public hearing. A copy of the proposed ordinance is posted for public review on the bulletin board located next to the elevator on the first floor at City Hall.

Magali Valls, CMC
City Clerk

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. §286.0105).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.

The City of Miami Springs
Summary of Monthly Attorney Invoice
Orshan, Lithman, Seiden, Ramos, Hatton & Huesmann, LLP

March 7, 2011 for February

<u>General Fund Departments</u>	<u>Cost</u>	<u>Hours</u>
Office of the City Clerk	1,721.25	12.75
Human Resources Department	222.75	1.65
Risk Management	418.50	3.10
Finance Department	870.75	6.45
Building, Zoning & Code Enforcement Department	1,096.20	8.12
Planning	934.20	6.92
Police Department		0.00
Public Works Department	523.80	3.88
Recreation Department	47.25	0.35
General - Administrative Work	5,977.80	44.28
Sub-total - General Fund	\$11,812.50	87.50
 <u>Special Revenue, Trust & Agency Funds</u>		
Golf Course Operations	108.00	0.80
L.E.T.F.		0.00
Due from Pension Funds		0.00
Sub-total - Special Funds	\$108.00	0.80
 GRAND TOTAL: ALL FUNDS	\$11,920.50	13.55

Agenda Item No.

City Council Meeting of:

MARCH 14, 2011

City of Miami Springs			
Attorney fees			
Month	February		
Period	5 2011		
		<u>Debit</u>	<u>Credit</u>
001 0601 514 3111			
001 0601 514 3101		11,812.50	
550 5950 519 3101			
560 5970 519 3101			
410 3301 533 3100			
420 3501 535 3100			
430 3401 534 3100			
001 5706 572 3100			
150 5010 519 3101			
610 0000 519 3101 PL0103			
650 2011 521 3101			
001 0000 131 7000			
001 0000 101 0100			11,812.50
550 0000 101 0100			
560 0000 101 0100			
410 0000 101 0100			0.00
420 0000 101 0100			0.00
430 3401 534 3100			
001 0000 101 0100			
150 0000 101 0100			
661 0000 101 0100			
650 0000 101 0100			
669 0000 518 3101		0.00	
669 0000 207 0100			0.00
		11,812.50	11,812.50